



Review Application Nos.198, 199, 200, 201 & 202 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.07.2024

CORAM:

**THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE MR. JUSTICE C.KUMARAPPAN**

Review Application Nos.198, 199, 200, 201 & 202 of 2018
against

W.A.Nos.37, 38, 39, 40 & 41 of 2009
and

C.M.P.Nos.4104, 4112, 4117, 4121, 4122 of 2019

**[Review Application No.198 of 2018
against W.A.No.37 of 2009]**

The President/Special Officer,
The Kallakurichi Co-op Sugar Mills,
Matriculation Hr.Sec.School,
Moongilthuraipattu,
Sankarapuram Taluk,
Villupuram District – 605 702.

...Petitioner

Vs.

1.G.Silambuselvi

2.The Director of School Education (Matriculation),
College Road, Chennai-600 006.

3.The Inspector of Matriculation Schools,
Cuddalore.

... Respondents



Review Application Nos.198, 199, 200, 201 & 202 of 2018

PRAYER : Review Application filed under Order 47 Rule 1 read with Section 114 of C.P.C. praying to review the order dated 17.02.2015 made in W.A.No.37 of 2009 on the file of this Court.

**[Review Application No.199 of 2018
against W.A.No.38 of 2009]**

The President/Special Officer,
The Kallakurichi Co-op Sugar Mills,
Matriculation Hr.Sec.School,
Moongilthuraipattu,
Sankarapuram Taluk,
Villupuram District – 605 702.

...Petitioner

Vs.

1.Tmt.Dowlath Begum

2.The Director of School Education (Matriculation),
College Road, Chennai-600 006.

3.The Inspector of Matriculation Schools,
Cuddalore.

... Respondents

PRAYER : Review Application filed under Order 47 Rule 1 read with Section 114 of C.P.C. praying to review the order dated 17.02.2015 made in W.A.No.38 of 2009 on the file of this Court.

[Review Application No.200 of 2018]



Review Application Nos.198, 199, 200, 201 & 202 of 2018

against W.A.No.39 of 2009]

The President/Special Officer,
The Kallakurichi Co-op Sugar Mills,
Matriculation Hr.Sec.School,
Moongilthuraipattu,
Sankarapuram Taluk,
Villupuram District – 605 702.

...Petitioner

Vs.

1.V.Ambujam

2.The Director of School Education (Matriculation),
College Road, Chennai-600 006.

3.The Inspector of Matriculation Schools,
Cuddalore.

... Respondents

PRAYER : Review Application filed under Order 47 Rule 1 read with Section 114 of C.P.C. praying to review the order dated 17.02.2015 made in W.A.No.39of 2009 on the file of this Court.

[Review Application No.201 of 2018
against W.A.No.40 of 2009]

The President/Special Officer,
The Kallakurichi Co-op Sugar Mills,
Matriculation Hr.Sec.School,
Moongilthuraipattu,
Sankarapuram Taluk,
Villupuram District – 605 702.

...Petitioner



Review Application Nos.198, 199, 200, 201 & 202 of 2018

Vs.

WEB COPY

1.V.Chelladurai

2.The Director of School Education (Matriculation),
College Road, Chennai-600 006.

3.The Inspector of Matriculation Schools,
Cuddalore.

... Respondents

PRAYER : Review Application filed under Order 47 Rule 1 read with Section 114 of C.P.C. praying to review the order dated 17.02.2015 made in W.A.No.40 of 2009 on the file of this Court.

**[Review Application No.202 of 2018
against W.A.No.41 of 2009]**

The President/Special Officer,
The Kallakurichi Co-op Sugar Mills,
Matriculation Hr.Sec.School,
Moongilthuraipattu,
Sankarapuram Taluk,
Villupuram District – 605 702.

...Petitioner

Vs.

1.L.Bhavanibai



Review Application Nos.198, 199, 200, 201 & 202 of 2018

2.The Director of School Education (Matriculation),
College Road, Chennai-600 006.

3.The Inspector of Matriculation Schools,
Cuddalore.

... Respondents

PRAYER : Review Application filed under Order 47 Rule 1 read with Section 114 of C.P.C. praying to review the order dated 17.02.2015 made in W.A.No.41 of 2009 on the file of this Court.

For Petitioner in all the
Review Applications : Mr.R.Bala Ramesh

For Respondents in all the
Review Applications : Mr.S.N.Ravichandran (for R1);

: Mr.J.C.Durai Raj, Additional
Government Pleader (for R2 to R3)

COMMON ORDER

(Judgement of the Court was delivered by S.M.Subramaniam J.)

The judgement dated 17.02.2015, passed in Writ Appeal Nos.37 to 41 of 2009 is sought to be reviewed in the present review applications. The appellant in the writ appeal is a review petitioner herein. The review



Review Application Nos.198, 199, 200, 201 & 202 of 2018

petitioner is the The President/Special Officer, The Kallakurichi Cooperative Sugar Mills, Matriculation Higher Secondary School.

2. The relief sought for by the petitioners, both before the Writ Court and Appellate Court, was to extend the scale of pay applicable to the Government servants to the teaching and non-teaching staff of the School, run by the Cooperative Sugar Mills.

3. The service conditions of the Sugar Mills is not connected with the Government Service Rules. The Sugar Mills is running a School and the rules applicable to them are distinct and therefore, only by way of an adoption by the Management, the Government Scale of Pay can be paid to the teaching and non-teaching staff of the School. This being the policy decision, to be taken by the Management, Court cannot direct the Sugar Mills to extend the benefits of the Government servants to the employees of the Sugar Mills, or the teaching or non-teaching staff of the School run by the Sugar Mills since the establishments are separate and governed under the provisions of the Tamil Nadu Cooperative Societies Act.



WEB COPY

4. Cooperative Sugar Mills is a Society registered under the Tamil Nadu Cooperative Societies Act and therefore, the affairs are regulated under the said special enactment. With reference to the Division Bench order sought to be reviewed, a Special Leave Petition in S.L.P. (C) No.18278 and 18282 of 2015 was filed and the Hon'ble Supreme Court of India dismissed the S.L.P. by confirming the Writ Appeal order on 12.10.2015. After dismissal of the S.L.P., the present Review Application has been filed.

5. The grounds raised on merits cannot be re-adjudicated. Re-appreciation of the findings are impermissible in review jurisdiction. Grounds for an appeal cannot be considered as a ground in review application to review the order. Therefore, the grounds raised in the present review application, on merits or to re-adjudicate the findings, cannot be undertaken.



Review Application Nos.198, 199, 200, 201 & 202 of 2018

6. Accordingly, the review application stands dismissed. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

(S.M.S.J.,)

(C.K.J.,)

24.07.2024

Index : Yes/No

Internet: Yes/No

Speaking order/Non-Speaking order

Neutral Citation : Yes/No

(sha)

To

1.The Director of School Education (Matriculation),
College Road, Chennai-600 006.

2.The Inspector of Matriculation Schools,
Cuddalore.



WEB COPY



Review Application Nos.198, 199, 200, 201 & 202 of 2018

S.M.SUBRAMANIAM, J.

and

C.KUMARAPPAN, J.

(sha)

Review Application Nos.198, 199, 200, 201 & 202 of 2018

against

W.A.Nos.37, 38, 39, 40 & 41 of 2009

24.07.2024