



Rev.Appl.Nos.250 & 268 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2024

CORAM :  
**THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM**  
**AND**  
**THE HONOURABLE MR. JUSTICE C.KUMARAPPAN**

Rev.Appl.Nos.250 & 268 of 2018  
against  
W.A.Nos.620 & 546 of 2015

**Rev.Appl.No.250 of 2018**

The Principal Secretary / Commissioner,  
Corporation of Chennai,  
Represented by its Commissioner,  
Rippon Buildings,  
Chennai - 600 003.

... Applicant

Vs.

1. N.A.Senthilnathan
2. M.Jagadeesan
3. E.Saraswathy
4. S.Mani

... Respondents

**Prayer:** Review Application filed under Order 47 Rule 1 r/w Section 114 of Civil Procedure Code, to review the Judgment dated 05.10.2018 in W.A.No.620 of 2015.

For Applicant : Mr.S.Gopinathan  
Standing Counsel for GCC

For R1 : Mr.V.Ravikumar

For R2 to R4 : Mr.S.Nedunchezhiyan



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1. M.Jagadeesan
2. E.Saraswathy
3. S.Mani

... Applicants

Vs.

1. N.A.Senthilnathan
2. The Principal Secretary / Commissioner,  
Corporation of Chennai,  
Represented by its Commissioner,  
Rippon Building,  
Chennai - 600 003.

... Respondents

**Prayer:** Review Application filed under Order 47 Rule 1 r/w Section 114 of Civil Procedure Code, to review the Judgment dated 05.10.2018 in W.A.No.546 of 2015.

|                |                          |
|----------------|--------------------------|
| For Applicants | : Mr.S.Nedunchezhiyan    |
| For R1         | : Mr.V.Ravikumar         |
| For R2         | : Mr.S.Gopinathan        |
|                | Standing Counsel for GCC |

### **COMMON ORDER**

(Order of the Court was made by **S.M.SUBRAMANIAM,J.**)

The order dated 05.10.2018 passed in W.A.Nos.546 & 620 of 2015 is sought to be reviewed.

2. The main ground for review is that this Court dismissed the writ appeals filed by the review applicants mainly on the ground that in the case of



***K.Rajalakshmi vs. Principal Secretary to Government, School Education***

***Department and 2 ors.*** quashed G.O.Ms.No.22, P&AR (S) Department, dated 24.02.2014. The said decision was followed in W.P.(MD)No.551 of 2015 dated 17.04.2017. Therefore, the subsequent events of incorporating a check period by way of amendment to Rule 4 (a) of the General Rule for the Tamil Nadu State and Sub-ordinate Services cannot have any effect in the case of the first respondent in the writ appeal.

3. The respective learned Counsels appearing on behalf of the review applicants now brought to the notice of this Court that Service Conditions Act was incorporated in the year 2016. Meanwhile, the Division Bench has recalled the order passed in the writ appeals on 07.11.2016.

4. In view of the fact that the Division Bench recalled the order passed in the case of ***K.Rajalakshmi***, the present review petitions have been filed to set aside the order dated 05.10.2018 passed in W.A.Nos.546 & 620 of 2015.

5. It is not in dispute that the writ appeal filed by the Corporation



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was dismissed based on the order of the earlier Division Bench in the case of

**K.Rajalakshmi.** The said order was recalled by the Division bench.

Therefore, the present writ orders sought to be reviewed, is liable to be recalled.

6. Accordingly, both the review applications stand **allowed**. The order dated 05.10.2018 passed in W.A.Nos.546 & 620 of 2015 is recalled. The writ appeals are directed to be listed for final hearing and to be heard on merits along with W.A.No.983 of 2015 and W.P.Nos.31633 of 2014 & 21771 of 2015.

7. Post after two weeks.

[S.M.S., J.] [C.K., J.]  
01.08.2024

Index : Yes/No  
Speaking Order : Yes/No  
Neutral Citation : Yes/No  
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To

1. The Principal Secretary / Commissioner,

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Corporation of Chennai,  
Represented by its Commissioner,  
Rippon Building,  
Chennai - 600 003.

Coppy to:

The Section Officer,  
Judicial Section.



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**S.M.SUBRAMANIAM, J.**  
**AND**  
**C.KUMARAPPAN, J.**

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