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Rev. Appln. (W) No.270 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.11.2025

CORAM:

THE HON'BLE MR. JUSTICE M.DHANDAPANI

Rev. Appln. (W) No.270 of 2025

in

W.P. No.37471 of 2015

The General Secretary
Salem Mavatta Magnesite Pattali
Thozhir Sangam,
Keel Bard
(Via SRCL),
Salem 636 005.

Petitioner

Vs

1. The Chief Operating Officer
SAIL Refractory Company Ltd.
Steel Authority of India,
Salem - 636 005.

2. The Appellate Authority Under
Industrial Employment,
(Standing Order) Act.
The Deputy Chief Labour
Commissioner (Central),
Shastri Bhawan,
5th Floor, Chennai – 600 006.

3. The Regional Labour
Commissioner
Certifying Officer under Industrial
Employment, (Standing Order) Act.
Shastri Bhavan,
5th Floor, Chennai – 600 006.



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4.The General Secretary,
Salem District Magnesite Anna Thozhir
Sangam (AIADMK),
Arisipalayam,
Salem 636 009.

5.The General Secretary,
Magnesite Workers Progressive Union
(DMK),
Vellakkalatty Post,
Salem-636 012.

6.The General Secretary,
Burn Standard Company Ltd.
SC/ST Employees Trade Union,
2/128C, Jagir Reddipatty,
Salem-636 302.

7.The General Secretary,
Magnesite Workers Union (AITUC)
Jagir Ammapalayam Post,
Mamangam, Salem 636 005.

8.The General Secretary,
Magnesite National Labour Union,
52, Dr.Subbarayan Road,
Salem-636 001.

9.The General Secretary,
Salem District Scheduled Caste and
Scheduled Tribes Magnesite
Employees Trade Union,
H355, TNHB,Vasantham Nagar,
Kottagoundapatty (Po),
Salem-636 011.

10.Salem District Magnesite
Labour Union (affiliated to CITU),
237, Tharamangalam Road,
Salem-636 005.

Respondents



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Prayer : Petition filed under Rule 1 r/w Sec 114 of C.P.C., to review the Judgment made in W.P. No. 37471 of 2015, dated 20.03.2025.

For petitioner : Mr.G. Pugazhenthir

ORDER

The review petitioner is arrayed as the 8th Respondent in W.P. No.37471 of 2015. The 2nd respondent in the writ petition, by order dated 06.03.2015, issued a notification directing insertion of a certification in the Standing Orders of the Company to the effect that the workman shall retire from the service of the Company on attaining the age of 60 years.

2. Aggrieved by the said order, initially, the petitioner-Management preferred an appeal before the Appellate Authority, namely the 1st respondent in writ petition. Subsequently, vide impugned order dated 20.11.2015, confirmed the order passed by the 2nd respondent, thereby affirming the age of retirement as 60 years.

3. Challenging the said appellate order, the petitioner-Management filed W.P. No.37471 of 2015 before this Court. This Court, by order dated



20.03.2025, took note of the subsequent development, namely the Minutes of the Board of Directors Meeting dated 07.09.2017, wherein the Board had resolved to fix the age of superannuation of employees at 60 years and the said resolution was forwarded to the State Government for approval. Recording the said subsequent development, this Court dismissed the writ petition.

4. The learned counsel for the review petitioner pointed out that the order dated 20.03.2025 does not specifically refer to the confirmation of the orders passed by the 2nd respondent, and therefore, the present Review Petition has been filed with regard to the said aspect.

5. It is well settled that a Review Petition can be entertained only when there is an error apparent on the face of the record or in cases of clerical or arithmetical mistakes. The review jurisdiction cannot ordinarily be invoked merely for the purpose of seeking clarification of an order already passed. In the case on hand, the grievance expressed by the Review Petitioner is essentially in the nature of seeking elucidation as to the scope and effect of the dismissal of the writ petition. The proper course for the petitioner would have been to move a clarification petition. Filing of the Review Petition for such purpose is therefore not sustainable. However, this Court is inclined to clarify the said portion and the same is modified as follows:



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5. *The writ petition is dismissed by confirming the orders passed by the 2nd respondents fixing the age of superannuation as 60 years, taking note of the subsequent development of the Board Meeting Minutes dated 07.09.2017 resolving to adopt the retirement age of 60 years.*

6. Accordingly, para 5 of the order dated 20.03.2025 in W.P. No.37471 of 2015 shall stand modified to the above extent and clarified.

7. With the above clarification, this Review Petition is disposed of. No costs.

11.11.2025

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation : Yes/No
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M.DHANDAPANI, J.

vsi2

To

1. The Chief Operating Officer
Sail Refractory Company Ltd. Steel
Authority of India, Salem-636005.

2.The Appellate Authority Under
Industrial Employment, (Standing
Orders) Act.
The Deputy Chief Labour
Commissioner (Central),
Shastri Bhawan 5th Floor,
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