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Review Application No.204 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.09.2025

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

Review Application No.204 of 2025

The Management,
Tamil Nadu Civil Supplies Corporation,
Head Office, Represented by its Managing Director,
12, Thambusamy Salai, Chennai – 600 010. ... Petitioner

Vs.

S.Gunasekaran ... Respondent

Prayer: Review Application filed under Section 114 of C.P.C., pleaded to review the order dated 22.04.2025 passed in Writ Petition No.28408 of 2019.

For Petitioner : Mr.R.Neelakandan
Additional Advocate General
Assisted by Mr.C.Selvaraj

For Respondent : Mr.K.M.Ramesh
Senior Counsel
for M/s.S.Appunu

ORDER

This Review Application has been filed by the petitioner seeking to review the order dated 22.04.2025 passed in W.P.No.28408 of 2019.



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2. The learned Additional Advocate General appearing for the review petitioner submitted that the petitioner had filed a Writ Petition in W.P.No.28408 of 2019, seeking to quash the order passed by the Principal Labour Court, Chennai in E.P.No.2 of 2010 dated 09.09.2019 and this Court, vide order, dated 22.04.2025, allowed the said Writ petition and directed the petitioner to pay a sum of Rs.11,99,770/- as full quit without any interest in favour of the respondent-workman within a period of six weeks from the date of receipt of a copy of the order.

3. The learned Additional Advocate General appearing for the review petitioner submitted that he did not give any undertaking before this Court for payment of due to the respondent-workman. However, on an erroneous mentioning, it has been recorded as if the petitioner intends to pay the remaining amount from the total due of Rs.11,99,770/-, less the amount already paid. Further, he submitted that even in the EP proceedings even before the Labour Court, the learned counsel for the petitioner has not conceded for the amount arrived by the workman, but has stated no objection for receiving the calculation memo. Mere receiving of calculation memo does not amount to accepting the amount calculated in the memo filed by the respondent. Hence, the petitioner has come up



with this Review application.

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4. Heard both sides.

5. Admittedly, as against his order, the respondent raised an industrial dispute in I.D.No.359 of 1979, claiming reinstatement with back wages and other attendant benefits. The labour court, passed an award dated 30.10.1989 allowed the said dispute, granting reinstatement with backwages and other attendant benefits. Aggrieved by the same, the petitioner has filed a writ petition before this Court in W.P.No.12491 of 1991 before this Court and the same was dismissed on 13.03.2001, against which, the petitioner has filed W.A.No.1523 of 2001, which was also dismissed on 11.07.2007. For non-implementation of the award, the respondent has filed E.P.No.2 of 2010 in I.D.No.359 of 1979 by filing calculation memo stating that the total due to payable to him is Rs.13,42,635/-, out of which, he already received a sum of Rs.1,42,865/- and the balance amount was Rs.11,99,770/-. Disputing the same, the petitioner has not filed any calculation memo or objection memo before the labour court. Thereby, the labour court attached the property owned by the petitioner. Assailing which, the petitioner has filed W.P.No.28408



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of 2019 before this Court. Considering all the above aspects, this Court

has passed an order dated 22.04.2025 in W.P.No.28408 of 2019.

Therefore, this Court is not inclined to review the same. However, there shall be a direction to the petitioner to pay Rs.11,99,770/-, less the amount already deposited by them, as full quit, with interest at the rate of 6% from 09.09.2019 to till the date of payment.

6. With the above direction, this review application is disposed of.

No costs.

03.09.2025

Index : Yes / No

Speaking order / Nonspeaking order

Neutral Citation Case : Yes / No

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To

1.The Principal Labour Court,
Chennai.

2.The Management,
Tamil Nadu Civil Supplies Corporation,
Head Office, Represented by its Managing Director,
12, Thambusamy Salai, Chennai – 600 010.



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M.DHANDAPANI, J.

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