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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.12.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.S. RAMESH
and
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

Rev. Appl.(MD) No. 99 of 2025
in
W.A.(MD) No.1848 of 2024
And
C.M.P.No.15092 of 2024

1.Tamil Nadu State Transport Corporation
(Madurai) Ltd.,
Rep., by its Managing Director,
Bye Pass Road,
Madurai – 625 010.

2.The General Manager,
Tamil Nadu State Transport Corporation
(Madurai) Ltd.,
Madurai region,
Madurai – 625 010.

... Petitioners

Vs.

1.S.Amir Ibrahim
S/o.A.Syed Sikkandhar Ali,
No.9, Kajeemar Street,
Main Road,
Madurai – 625 001.

2.R.Rajendran (Died)

3.M.N.Ravindran,
S/o.G.Nartarajan,

1/9



No.57, Anjal Nagar 1st Street,
Shanthi Nagar – via,
Madurai – 625 018.

4.State of Tamil Nadu,
Rep., by its Secretary to Government,
Transport Department and Chairman of
Board of Director of State Transport Undertaking,
Fort St.George,
Chennai – 600 009.

5.The Administrator,
The Tamil Nadu State Transport Corporation
Pension Fund Trust,
Thiruvallur House,
Pallavan Salai,
Chennai – 600 002.

... Respondents

PRAYER: Review filed under Section 114 read with Order XLVII Rule 1 & 2 of Code of Civil Procedure to review the order passed in W.A.(MD) No.1848 of 2024 on the file of this Court dated 06.12.2024 and pass such further or other orders as this Court deem fit and proper in the circumstances of the case and thus render justice.

For Petitioner : Mr.M.Ajmal Khan
Additional Advocate General
Asst by
Mr.SC.Herold Singh

For Respondents : Mr.A.K.Thangavelu
for R1 & R3
Mr.J.K.Jayaseelan
Government Advocate for R4



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ORDER

(Delivered by M.S.Ramesh, J and Dr. A.D. Maria Clete, J)

Heard.

2.This Review Application has been filed by the appellants in W.A. (MD) No.1848 of 2024, seeking review of the order dated 06.12.2024 made in W.A.(MD) No.1848 of 2024 and C.M.P.(MD) No.15092 of 2024.

3.The grievance is that the Writ Appeal was in fact heard and disposed of on 11.11.2024, but the Registry failed to prepare and upload the fair order. Further, in the order dated 06.12.2024, while this Court declared that the order in respect of the deceased second petitioner stood recalled and dismissed, it omitted to mention anything regarding the status of the 1st and 3rd petitioners either in the Writ Appeal or in the Writ Petition, resulting in uncertainty in the operative portion of the judgment.

4. The writ petitioners in W.P.(MD) No.13750 of 2016 were employees of the second respondent–Transport Corporation appointed between 1980 and 1982, who sought the benefits of G.O.Ms.No.146, Transport (C) Department, dated 30.11.2015, conferring *Selection Grade*
3/9



Superintendent pay on completion of 24 years' service.

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5. The learned Single Judge, by order dated 16.11.2023, allowed the writ petition, holding that the departmental letter No.7593/C1/2016 dated 03.05.2017 could not override the G.O. issued under Article 166 of the Constitution. Aggrieved, the Corporation preferred W.A.(MD) No.1848 of 2024, which was heard and dismissed on merits on 11.11.2024, the judgment being dictated in open court.

6. After the pronouncement, the Registry failed to prepare and upload the fair order, and consequently, the parties could not obtain a certified copy. This omission was confirmed by internal verification and the fair order was placed before (one of us) on 27.10.2025.

7. The law is well settled that once an order is dictated and pronounced in open court, it attains judicial finality; non-preparation or non-uploading by the ministerial staff cannot obliterate its existence.

8. The wife of second writ petitioner R.Vasanthan later filed C.M.P. (MD) No.15092 of 2024 on 21.10.2024 to implead her as legal heir of R.Rajendran Late R. Rajendran, who had died on 04.01.2020 during the pendency of the writ petition. That petition was disposed of by a separate order on 06.12.2024.



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9. In the said order, this Court observed that the Writ Appeal (W.A. No.1848/2024) had been disposed of on 11.11.2024 and proceeded to hold that the appeal, being filed against a deceased person, was not maintainable, and that the order of the learned Single Judge in respect of the deceased 2nd petitioner was non est in law.

10. However, the order did not specifically mention or preserve the findings and dismissal in respect of the surviving 1st and 3rd petitioners, even though their cause of action was independent. This omission has created uncertainty as to whether the earlier order (11.11.2024) remained operative against them.

11. The non-uploading of the fair order dated 11.11.2024 coupled with this omission in the 06.12.2024 order constitutes an error apparent on the face of the record, attracting review jurisdiction under Order XLVII Rule 1 CPC read with Article 226 of the Constitution.

12. On perusal of the open-court register and cause list records, it stands verified that W.A.(MD) No.1848 of 2024 was indeed heard and dismissed on 11.11.2024 on merits. The omission of the Registry to prepare and upload the fair order is purely a ministerial lapse and cannot nullify a judicial act.



13. Further, the order dated 06.12.2024, while recalling the appeal as against the deceased 2nd petitioner, failed to address the status of the 1st and 3rd petitioners. Since their rights flow from independent and surviving causes of action, the omission warrants clarification to avoid procedural prejudice or misinterpretation of the operative effect of the judgment.

14. Therefore, both grounds the Registry's omission and the partial omission in the 06.12.2024 order deserve to be rectified in exercise of our review jurisdiction.

15. Accordingly, it is clarified and ordered that:

(i) The Writ Appeal (W.A.(MD) No.1848 of 2024) was dictated and pronounced in open court on 11.11.2024 and the failure of the Registry to prepare and upload the fair order shall stand recorded as a procedural error, which is now rectified.

(ii) The order dated 06.12.2024 in W.A.(MD) No.1848 of 2024 and C.M.P.(MD) No.15092 of 2024 shall stand clarified to read that:

a. The Writ Appeal, as far as it relates to the 1st and 3rd petitioners in W.P.(MD) No.13750 of 2016, stands dismissed on merits in terms of the oral order pronounced on 11.11.2024.

b. Insofar as the deceased second petitioner (R. Rajendran) is concerned, the order passed by the learned Single Judge in W.P.(MD) No. 13750 of 2016 is non-est in law.



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c. The legal representatives of Late R. Rajendran are at liberty to institute a fresh writ petition, if so advised.

d. The Registry is directed to prepare and upload the fair order dated 11.11.2024.

e. With the above observations and clarifications, the Review Application (MD) No.99 of 2025 is disposed of. No order as to costs.

(M.S.R., J) (A.D.M.C., J)
15.12.2025

ay/dpq

Neutral Citation: Yes / No

To

1. Tamil Nadu State Transport Corporation
(Madurai) Ltd.,

7/9



Rep., by its Managing Director,
Bye Pass Road,
Madurai – 625 010.

2. The General Manager,
Tamil Nadu State Transport Corporation
(Madurai) Ltd.,
Madurai region,
Madurai – 625 010.

3. The Secretary to Government,
Transport Department and Chairman of
Board of Director of State Transport Undertaking,
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4. The Administrator,
The Tamil Nadu State Transport Corporation
Pension Fund Trust,
Thiruvallur House,
Pallavan Salai,
Chennai – 600 002.

5. The Section Officer,
VR Section,
High Court of Madras,
Chennai.



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M.S. RAMESH, J
and
DR. A.D. MARIA CLETE, J

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