



Rev.Aplc(MD)No.151 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Reserved On :30.07.2025

Pronounced On : 07.08.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

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K.Muthukumar
S/o.Kesavan,
No.3, Anna Nagar,
Kamaraj Nagar, 9th Street,
Thirubuvanam,
Kumbakonam Taluk,
Thanjavur District.

... Applicant / Appellant

Vs.

1. The Regional Manager
Tamil Nadu State Marketing Corporation
Limited, (TASMAC), Tiruchirappalli.

2. The District Manager
Tamil Nadu State Marketing Corporation
Limited, (TASMAC), Thanjavur District,
Thanjavur.

... Respondents / Respondents

PRAYER : Review Application filed under Order 47 Rules 1 &2 r/w.
Section 114 of Civil Procedure Code, to review the order of this Court
dated 08.03.2018 passed in Writ Appeal (MD).No.629 of 2017.



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FOR APPEARANCE:

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For Applicant : Mr.Rajiv Rufus
for Mr.S.Arunachalam

For Respondents : Mr.H.Arumugam

JUDGMENT

[Judgment of the Court was made by DR.A.D.MARIA CLETE J.]

Heard.

2. This Review Application is filed under Order XLVII Rules 1 and 2 read with Section 114 of the Code of Civil Procedure seeking review of the judgment dated 08.03.2018 in W.A.(MD) No.629 of 2017.

3. The applicant raise two grounds: (i) that back wages ought to have been directed from 01.10.2015 instead of 01.01.2017, and (ii) that the suspension period in the direction relating to subsistence allowance has been recorded as ending on 13.09.2015, whereas the final order of the Disciplinary Authority is dated 30.09.2015.

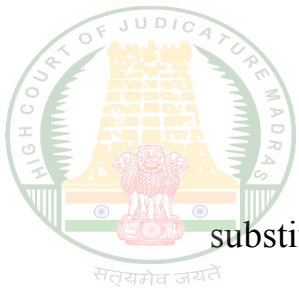


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4. As regards the first ground, the commencement date for back wages was consciously fixed by the Division Bench after considering submissions and equitable factors. This is a determination on merits and does not disclose any error apparent on the face of the record. Review jurisdiction cannot be invoked to re-argue this aspect.

5. On the second ground, the writ appeal judgment directs the respondents/management to pay subsistence allowance to the appellant “for the period during which the appellant was under suspension till 13.09.2015.” It is not in dispute that the appellant remained under suspension until 30.09.2015. The direction in the judgment, therefore, contains an inadvertent factual error which impacts the quantum of subsistence allowance payable. Such an error, being purely clerical or typographical in nature and having crept in inadvertently, may be corrected at any time, as its rectification will not in any manner alter the outcome of the order passed on merits.

6. Accordingly, paragraph 3(iv) of the operative portion of the judgment in W.A.(MD) No.629 of 2017 shall stand modified by



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substituting the date “13.09.2015” with “30.09.2015” in the direction relating to payment of subsistence allowance.

7. Save for the above limited correction, the Review Application is dismissed. No costs.

[S.M.S., J.] [A.D.M.C., J.]

07.08.2025

Index: Yes/No
Internet: Yes/No
NCC: Yes/No
LS

To

1. The Regional Manager
Tamil Nadu State Marketing Corporation
Limited, (TASMAC),
Tiruchirappalli.
2. The District Manager
Tamil Nadu State Marketing Corporation
Limited, (TASMAC),
Thanjavur District,
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and
DR.A.D.MARIA CLETE, J.

LS

Pre-delivery Judgment made in
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