



**Rev.ApIC(MD)Nos.158 & 159 of 2025**

**WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 29.07.2025**

**CORAM:**

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM  
and  
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR**

**Rev.ApIC(MD)Nos.158 & 159 of 2025**

**1.Rev.ApIC(MD)No.158 of 2025:**

J.Jeevanandham

... Petitioner

VS.

1.The Presiding Officer,  
Labour Court,  
Trichy.

2.The Management,  
Tamil Nadu State Transport Corporation  
(Kumbakonam Division – II) Limited,  
Collector's Office Road,  
Tiruchirappalli – 620 001.

... Respondents

**PRAYER :** Review Application filed under Section 114, Order XLVII, Rule 1 of the Code of Civil Procedure, to review the judgment dated 22.08.2017 made in W.A(MD)No.1612 of 2016 by clarifying that the punishment of



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dismissal shall be modified as compulsory retirement as on the date of award ie., on 16.10.2003 so as to make the review petitioner eligible for sanction of monthly pension from the date of award by treating the period from the date of dismissal to the date of award ie., from 03.04.2002 to 16.10.2003 as duty notionally and as pensionable service with payment of employer's contribution of provident fund for the said period.

For Petitioner : Mr.A.Rahul

**2.Rev.ApIC(MD)No.159 of 2025:**

J.Jeevanandham

... Petitioner

vs.

1.The Management,  
Tamil Nadu State Transport Corporation  
(Kumbakonam Division – II) Limited,  
Collector's Office Road,  
Tiruchirappalli – 620 001.

2.The Presiding Officer,  
Labour Court,  
Trichy.

... Respondents

**PRAYER :** Review Application filed under Section 114, Order XLVII, Rule 1 of the Code of Civil Procedure, to review the judgment dated 22.08.2017 made in W.A(MD)No.1116 of 2016 by clarifying that the punishment of



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dismissal shall be modified as compulsory retirement as on the date of award ie., on 16.10.2003 so as to make the review petitioner eligible for sanction of monthly pension from the date of award by treating the period from the date of dismissal to the date of award ie., from 03.04.2002 to 16.10.2003 as duty notionally and as pensionable service with payment of employer's contribution of provident fund for the said period.

For Petitioner : Mr.A.Rahul

**COMMON ORDER**

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

These Review Petitions have been instituted seeking to review of the judgment of this Court dated 22.08.2017 passed in W.A(MD)No.1612 of 2016 & W.A(MD)No.1116 of 2017.

2.The Writ Petition in W.P(MD)No.1543 of 2009 was instituted by the review petitioner challenging the award passed by the Labour Court in I.D.No.112 of 2000. The review petitioner was unsuccessful in securing



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relief from the hands of the writ Court. Consequently, the writ petitioner preferred an intra-court appeal in W.A(MD)No.1612 of 2016. Further, the Management also preferred an intra-court appeal in W.A(MD)No.1116 of 2017.

3.This Court considered the facts elaborately and modified the punishment imposed by the disciplinary authority from dismissal from service to compulsory retirement. Further, this Court directed the State Transport Corporation to disburse the pension due within a period of eight weeks from the date of receipt of a copy of the Judgment.

4.The learned counsel appearing for the review petitioner submitted that though there was a direction to pay the pension due, the respondents have taken a decision that the review petitioner is not eligible to receive a pension.



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5. Eligibility regarding pension is different from the modified punishment considered by this Court in the Writ Appeals. That apart, the issues were adjudicated on merits and the punishment of removal was modified to that of compulsory retirement, which itself was a concession granted by this Court.

6. In view of the above, the review petitioner has not established any error apparent on the face of the record warranting interference of this Court in the exercise of its review jurisdiction. Re-adjudication on merits is impermissible in a review petition. The scope of a review cannot be expanded to question the modified punishment imposed by this Court. Accordingly, the present Review Petitions stand dismissed. There shall be no order as to costs.

**[S.M.S.,J.] & [N.S.K.,J.]**  
**29.07.2025**  
**(2/2)**

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

**5/7**



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To

- 1.The Presiding Officer,  
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**S.M.SUBRAMANIAM, J.**  
**and**  
**N.SATHISH KUMAR, J.**

ps

**ORDER MADE IN**  
**Rev.ApIC(MD)Nos.158 & 159 of 2025**

**DATED : 29.07.2025**  
**(2/2)**

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