

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-06-2026

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THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

REV.APPL.Nos.62 and 63 of 2024

REV.APPL No.62 of 2024

The Managing Director
 The Salisbury Industrial Co-operative Tea
 Factory Ltd., Gudalur - 643 212, Nilgiris Dt.

... Applicant

-VS-

1.P.Uma

2.The District Registrar /
 The Joint Director (Tea)
 Department of Industries and Commerce,
 Government of Tamil Nadu, INDCOSERVE
 Campus, Coonoor 643 101, Nilgiris Dt.

..Respondent(s)

REV.APPL.No.63 of 2024

The Managing Director
 The Salisbury Industrial cooperative Tea
 Factory Ltd., Gudalur 643 212, Nilgiris Dt.

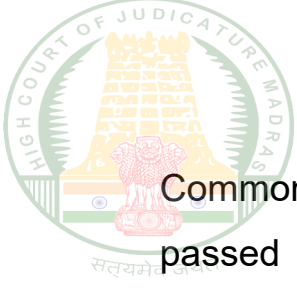
.. Applicant

-VS-

1.N.Rajeswari

2.The District Registrar /
 The Joint Director (Tea)
 Department of Industries and Commerce,
 Government of Tamil Nadu, INDCOSERVE
 Campus, Coonoor - 643 101, Nilgiris Dt.

..Respondent(s)



Common Prayer: To Review the Common Order dated 16.11.2023 passed by the Hon'ble High Court in W.A.Nos.943 & 944 of 2021 and allow the present Review Applications.

For Applicants: Mr.S.Silambanan, Senior Counsel
For Mr.C.Selvaraj (in both)

For Respondents: Mr.K.Lavan for R1
No Appearance for R2

COMMON ORDER

(Order of the Court was made by S.M.Subramaniam J.)

The present Review Applications have been instituted to review the common order dated 16.11.2023 passed in W.A.Nos.943 and 944 of 2021.

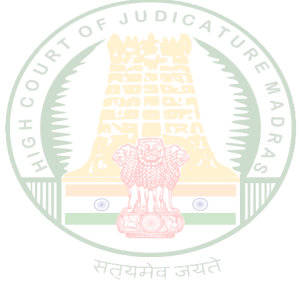
2. Mr.Silambanan, learned Senior Counsel would mainly contend that as per Certified Common Standing Orders of Industrial Co-operative Tea Factories, retirement age of Workmen is 58 years. However, this Court in the order sought to be reviewed allowed the respondents herein to serve upto the age of 60 years, by stating that retirement age is 60 years. Thus, it is an error apparent and the ground on which Writ Appeal was allowed in favour of Workmen is running counter to the Certified Common Standing Orders.



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3. Per contra, learned counsel for the respondents / Workmen would oppose, by stating that respondents, who were initially appointed as Casual Labourer's, were subsequently absorbed as permanent employees. Therefore, their services are governed by Special By-Law approved by the 2nd respondent, under Tamil Nadu Co-operative Societies Act, 1983. Service conditions of employees of Co-operative Societies are governed under Rule 149 of Tamil Nadu Cooperative Societies Rules, 1988 and therefore, Special By-Law governing service conditions as approved by Registrar of Co-operative Societies alone would apply. Clause-12 of the Special By-Law, relating to service conditions of employees of The Salisbury Industrial Co-operative Tea Factory Limited, stipulates the age of retirement. Accordingly, for retirement of service of Society, Rules applicable to Government Servants shall be followed.

4. It is not in dispute that Government enhanced the retirement age of its employees from 58 to 60. Therefore, the said Rule is to be applied *mutatis mutandis* to employees of the appellant Co-operative Society in view of the above Special By-Law. That apart, Joint Director (Tea) has addressed a letter to the Managing Director of the appellant Society that retirement age enhanced by Government of Tamil Nadu is to be followed in respect of permanent employees of the



S.M.SUBRAMANIAM,J.
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Appellant Co-operative Society. Further, Industries Commissioner and Director of Industries and Commerce also issued a circular, stating that the age of superannuation of Government Servants increased to be adopted and suitable amendments are to be made in the By-Law of Co-operative Societies.

5. In view of the above position, this Court does not find any error apparent on record, warranting interference. Consequently, the present Review Applications stand dismissed. No costs.

(S.M.S.,J.) (M.S.Q.,J.)
05-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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To:

The District Registrar / The Joint Director (Tea)
Department of Industries and Commerce,
Government of Tamil Nadu,
INDCOSERVE Campus,
Coonoor - 643 101, Nilgiris District.

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