

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.02.2016

CORAM

THE HON'BLE MR.JUSTICE T.S.SIVAGNANAM

Writ Petition No.40683 to 40687 and 40980 of 2015  
and  
M.P.Nos.1 and 2 of 2015 (each six in nos)

K.Saravanan ...Petitioner in WP.40683/15  
A.Arunkumar ...Petitioner in WP.40684/15  
G.Saravanan ...Petitioner in WP.40685/15  
J.Balaji ...Petitioner in WP.40686/15  
R.Jagadeesan ...Petitioner in WP.40687/15

1.N.S.Subbulakshmi  
2.K.Vijayachandrika  
3.V.Ponni  
4.A.Karpagam  
5.R.Premalatha  
6.M.Reena ...Petitioner in WP.40980/15

Vs.

The Food Corporation of India (South Zone)  
Employees' Co-operative Society Limited,  
No.MSCS /CR -23/92, rep. by its Secretary,  
New.No.40, Old No.133, 2nd Floor,  
Veperi High Road,  
Periamedu, Chennai - 600 003. ...Respondent in WPs.40683  
to 40687/15

1.The Food Corporation of India,  
Rep.by its Director,  
Government of India,  
Ministry of Agriculture and Co-Operation,  
New Delhi - 01.

2.The Food Corporation of India(South Zone),  
Employees Co-Operative Societies Ltd.,  
Rep.by its Secretary/President,  
No.MSCS /CR -23/92,  
Old No.171, New No.114, 1st Floor,  
Prakasam Salai, (Broadway),  
Chennai 600 108. ...Respondents in WP.40980/15

Writ Petitions No.40683 to 40687 of 2015 filed under Article 226 of the Constitution of India, for issuance of Writ of Certiorari to call for the records, pertaining to the impugned order, dated 18.12.2015, from the respondent and to quash the same, insofar as seeking to terminate and relieve the petitioner services from the respondent-Society with effect from 01.01.2016, award costs.

W.P.No.40980 of 2015 : Writ of Certiorarified Mandamus, Calling for the records of impugned order dated 18.12.2015 made in Ref.No. Nil passed by the Second Respondent and quash the same, consequently direct the respondents to allow the petitioners herein to work in their respective posts without any disturbance for protecting their family livelihood.

For Petitioners in all W.Ps. : Mr.K.Balu  
For Respondent-Corporation : Mr.Jayaganesan  
For Respondent-Society : Mr.Karthikesan

#### C O M M O N O R D E R

The prayer in these Writ Petitions is to quash the proceedings, 18.12.2015, passed by the respondent/Society, whereby, the services of the petitioners were sought to be dispensed with, and further, to direct the respondent-Society to allow the petitioners to continue to work in their respective posts.

2. Heard the learned counsel appearing for petitioners and the learned counsel appearing for respondent-Society.

3. By the aforesaid impugned proceedings, the services of about 20 employees have been sought to be dispensed with, with effect from 01.01.2016. It appears that, about 9 persons have accepted the settlement of, given by the respondent-Society, and they have resigned from service. Insofar as remaining 11 employees are concerned, who are petitioners before this Court, the learned counsel appearing for the respondent-Society, on instructions, submits that the respondent-Society will not press the impugned order, dated 18.12.2015, as against the petitioners are concerned. The effect of the said submission is that, the impugned proceedings have to be held to be untenable and non-est as against the petitioners.

4. In the light of the above, these Writ Petitions are allowed, the impugned orders are set aside, leaving it open to the respondents to proceed in accordance with law, if they propose to do so. No costs. Consequently, connected Miscellaneous Petition are closed.

Sd/-  
Assistant Registrar(CS III)

//True Copy//

sd Sub Assistant Registrar

To

1.The Food Corporation of India (South Zone)  
Employees' Co-operative Society Limited,  
No.MSCS /CR -23/92, rep. by its Secretary,  
New.No.40, Old No.133, 2nd Floor,  
Veperi High Road,  
Periamedu, Chennai - 600 003.

2.The Director,  
Food Corporation of India,  
Government of India,  
Ministry of Agriculture and Co-Operation,  
New Delhi - 01.

3.The Secretary/President,  
Food Corporation of India(South Zone),  
Employees Co-Operative Societies Ltd.,  
No.MSCS /CR -23/92,  
Old No.171, New No.114, 1st Floor,  
Prakasam Salai, (Broadway),  
Chennai 600 108.

+1cc to Mr.K.S.Jayaganesan, Advocate, S.R.No.9234  
+1cc to Mr.K.Balu, Advocate, S.R.No.9004  
+2cc's to Mr.P.Anbarasan, Advocate, S.R.Nos.8912 & 8911  
+1cc to Mr.V.Ajay Khose, Advocate, S.R.No.9157

Writ Petition No.40683 to 40687  
and 40980 of 2015

EV(CO)  
CA(24/02/2016)