

HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.6814 OF 2002

ORDER:

1. This writ petition is filed seeking to issue a writ of Certiorari calling for the records relating to and connected with I.D.No.78 of 2001 on the file of the first respondent-Labour Court, and to quash the award passed therein on 10.9.2001.

2. Heard Sri S. Ravindranath, learned Standing Counsel for the petitioners and the learned Government Pleader for Labour.

3. The subject matter pertains to transfers of workmen. Originally, a reference was made by the Government of A.P. under Section 10(1)(c) of the Industrial Disputes Act for adjudication of the following dispute:

“(i) Whether the action of (1) The Superintending Engineer (O) A.P. Transco, Rajahmundry, (2) The Divisional Electrical Engineer (O), A.P. Transco, Ramachandrapuram in not effecting the transfers of Sri R. Nageswara Rao, L.M. Ramachandrapuram, Sri P. Apparao, ALM, Ramachandrapuram town and Ch. Vasudeva Rao, L.M. Gangavaram, despite specific instructions from the appropriate authority is justified?

If not to what relief the workmen are entitled?”

The Labour Court after considering the facts passed the award in favour of the workmen directing the management viz.,

Superintending Engineer, Rajahmundry and Divisional Electrical Engineer, to consider the cases of R. Nageswara Rao, Lineman, Ch. Vasudeva Rao, Lineman and P. Apprao, Assistant Lineman for effecting transfers to Rajahmundry Operation Division and Jaggampeta Operation Division.

4. Since the issue is in respect of consideration of request of the workmen for transfer to Rajahmundry Operation Division and Jaggampeta Operation Division, the petitioners ought to have considered their request and passed the orders. But in spite of the same, the petitioners filed this writ petition and obtained interim suspension of the award passed by the Labour Court, vide order dated 15.4.2002. Now, the above named workmen are in service or not is also not clear.

5. In the above circumstances and since the petitioners were directed to consider the case of the workmen for transfer to Rajahmundry Operation Division and Jaggampeta Operation Division, this Court is of the view that ends of justice would be met if this writ petition is disposed of directing the petitioners to consider the case of the above named workmen in terms of the award in I.D.No.78 of 2001, dated 10.9.2001.

6. Accordingly, the Writ Petition is disposed of directing the petitioners to consider the case of the above named workmen, if

they are in service, in terms of the award in I.D.No.78 of 2001, dated 10.9.2001, and pass appropriate orders, within a period of four weeks from the date of receipt of a copy of this order. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

Dated: 10th August, 2018.

Nn.



HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.19028 OF 2001



10/08/2018

Nn.