

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILU

W.P.No.6235 of 2019

ORDER

This writ petition is filed seeking the following relief:

“.....to issue an order or direction more particularly one in the nature of writ of Mandamus direct the 2nd respondent to Transfer the I.D.No.66/ 2006 from the Industrial Tribunal-cum-Labour Court at Warangal, Warangal District to the Industrial Tribunal-cum-Labour Court Chandra Vihar building Nampally Hyderabad for speedy disposal of the above said I.D. otherwise the workers of the petitioner union get over aged, financial loss, mental agony as illegal, arbitrary and violation of Article 21 of the Constitution of India .....”.

2. Heard Si G.Allabaksh, learned counsel appearing for the petitioner, the learned Government Pleader for Labour and Ms.A.Deepthi, the learned Standing Counsel for respondents 3 and 4.

3. It has been contended by the petitioner that he raised a dispute before the Conciliation Officer and as the issue could not be resolved by the Conciliation Officer, the Conciliation Officer has submitted a failure report. Thereafter, the Government was pleased to refer the dispute under Section 10(1)(d) of the I.D.Act to the Industrial Tribunal-cum-Labour Court at Warangal and the same is numbered as I.D.No.66 of 2006.

4. Learned counsel appearing for the petitioner submits that there is no Presiding Officer at Industrial Tribunal-cum-Labour Court at Warangal since past two years and consequently, many of the members of the petitioner's union are becoming over aged and in the interest of justice, the petitioner made a representation before the 2<sup>nd</sup> respondent to transfer I.D.No.66 of 2006 from the Industrial

Tribunal-cum-Labour Court at Warangal to the Industrial Tribunal-cum-Labour Court at Hyderabad. But, so far, the 2<sup>nd</sup> respondent has not passed any orders on the said representation nor transferred I.D.No.66 of 2006 from the Industrial Tribunal-cum-Labour Court at Warangal to the Industrial Tribunal-cum-Labour Court at Hyderabad. Therefore, the learned counsel appearing for petitioner submits that appropriate orders be passed in the writ petition directing the 2<sup>nd</sup> respondent to transfer I.D.No.66 of 2006 from the Industrial Tribunal-cum-Labour Court at Warangal to the Industrial Tribunal-cum-Labour Court at Hyderabad.

5. Learned Government Pleader appearing for the 2<sup>nd</sup> respondent has contended that the 2<sup>nd</sup> respondent would consider the request of the petitioner and appropriate orders would be passed in accordance with law.

6. Having considered the rival submissions made by the learned counsel on either side, this Writ Petition is disposed of directing the petitioner to submit a representation afresh to the 2<sup>nd</sup> respondent within a period of two weeks from the date of receipt of a copy of this order. On receipt of such representation, the 2<sup>nd</sup> respondent shall consider the same and pass appropriate orders, in accordance with law, within a period of four weeks thereafter. No costs.

7. Miscellaneous petitions, if any, pending shall stand closed.

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JUSTICE ABHINAND KUMAR SHAVILU

Date: 08-07-2019  
Prv

