

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.02.2020

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.4915 of 2017
and
W.M.P.No.5150 of 2017

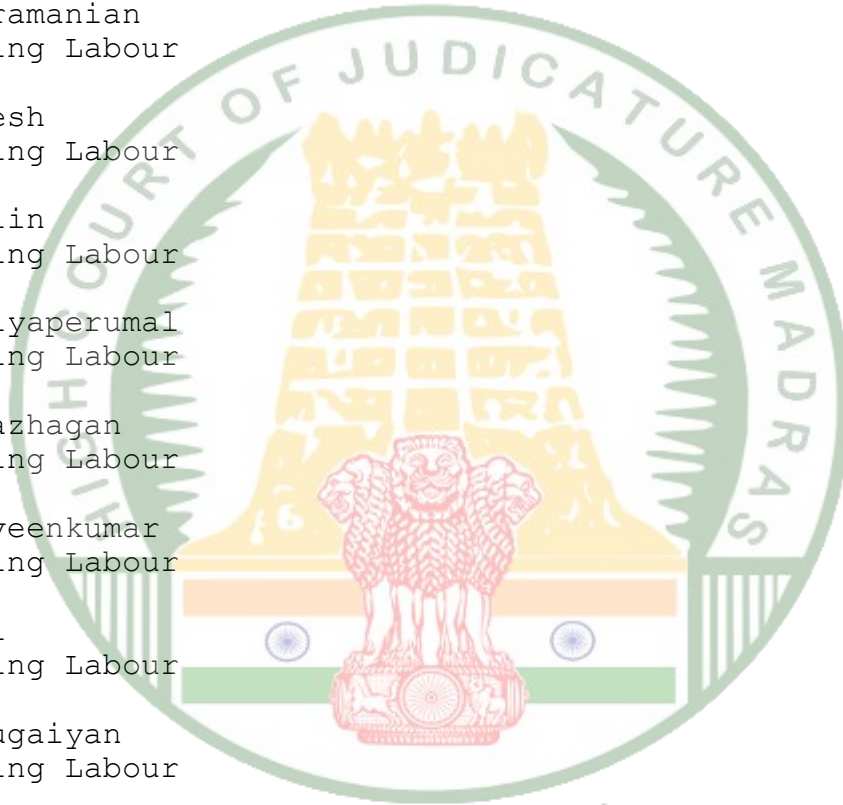
1. The General Manager,
Food Corporation of India,
Regional Office,
8, Sathyamurthy Road, FCI,
FSD, Egmore Complex,
Chetpet, Chennai - 31.
2. The Area Manager,
Food Corporation of India,
District Office,
No.1, Bharathi Road,
Cuddalore.
3. The Manager(Depot),
Food Corporation of India, FSD,
Karaikal, Puducherry.Petitioners

vs.

1. The Deputy Chief Labour Commissioner (C)
Ministry of Labour and Employment
Sastry Bhavan
No.26, Haddows Road, "A" Wing, 5th Floor
Nungambakkam,
Chennai-6.
2. The Regional Labour Commissioner (Central)
Sastry Bhavan
No.26, Haddows Road, "A" Wing, 5th Floor
Nungambakkam,
Chennai-6.
3. The Regional Labour Commissioner (Central)
Suit No.III, I Floor, Kanaga Apartment
13A Lady Doak College Road
Chinna Chokkikulam
Madurai - 625 002.

4. K.Murugesan
Sardar

5. E.Asirvatham
Mandal
6. A.Anandharaj
Handling Labour
7. V.Chandrasekaran
Handling Labour
8. R.Backiyaraj
Handling Labour
9. M.Subramanian
Handling Labour
10. R.Rakesh
Handling Labour
11. R.Stalin
Handling Labour
12. T.Kaliyaperumal
Handling Labour
13. K.Anbazhagan
Handling Labour
14. R.Praveenkumar
Handling Labour
15. I.Ravi
Handling Labour
16. N.Murugaiyan
Handling Labour
17. V.Sankar
Handling Labour
18. K.Subramanian
Handling Labour
19. A.Kumar
Sardar
20. M.Ramadoss
Mandal
21. P.Veeramani
Handling Labour
22. K.Selvamani
Handling Labour



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23. S.Purushothaman
Handling Labour

24. V.Kaliyamurthy
Handling Labour

25. P.Ravichandran
Handling Labour

26. G.Pakkirisamy
Handling Labour

27. G.Paneerselvam
Handling Labour

28. N.Veerapathiran
Handling Labour

29. A.Arivazhagan
Handling Labour

30. R.Anbarasan
Handling Labour

31. S.Baskar
Handling Labour

32. A.Selvam
Handling Labour

33. K.Natarajan
Handling Labour

4 to 39 respondents are represented
through Vice President
FCI Workers Union, Registered Office,
No.58/1 D.H.Road
Kolkatta 700 023.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the second respondent vide proceedings No.95/1/2016[FCI]-B2 dated 27.10.2016 and to quash the same and consequently, re-transfer the claim application No.8/16 from the file of the third respondent to the file of the second respondent.

For Petitioner : Mr.S.Vijayakumar

For Respondents: Mr.G.Baskaran

Central Government Standing Counsel
for R1 to R3

Mr.V.Ajoy Khose, for R4 to R33

O R D E R

This writ petition is filed against the order dated 27.10.2016 passed by the second respondent viz., the Regional Labour Commissioner (Central), Chennai, transferring the case from the file of the 2nd respondent to the file of the 3rd respondent.

2. Though it is contended by the learned counsel for the contesting respondents/workmen that they had some grievance against the previous officer, who held the position of the 2nd respondent office and sought for transferring of the case from his file to the 3rd respondent, in view of the present position that a new officer has come at the 2nd respondent office, these contesting respondents/workmen are not having any objection for the 2nd respondent himself in hearing the matter.

3. Learned counsel appearing for the official respondents has also filed a memo that the previous officer in the office of the 2nd respondent retired on 23.12.2016. He further submitted that now, the present 2nd respondent himself can hear the matter.

4. In view of the above stated facts and circumstances, this writ petition is disposed of by setting aside the order passed by the second respondent in transferring the case from the file of the third respondent to the second respondent. Consequently, the second respondent shall hear the subject matter case and pass orders on the same on merits and in accordance with law after hearing all the parties. The second respondent shall pass such order within a period of four months from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

सत्यमेव जयते

Sd/-

Assistant Registrar (CCC)

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Sub Assistant Registrar

mk

To

1. The Deputy Chief Labour Commissioner (C)
Ministry of Labour and Employment
Sastry Bhavan, No.26, Haddows Road, "A" Wing, 5th Floor
Nungambakkam, Chennai-6.

2. The Regional Labour Commissioner (Central)
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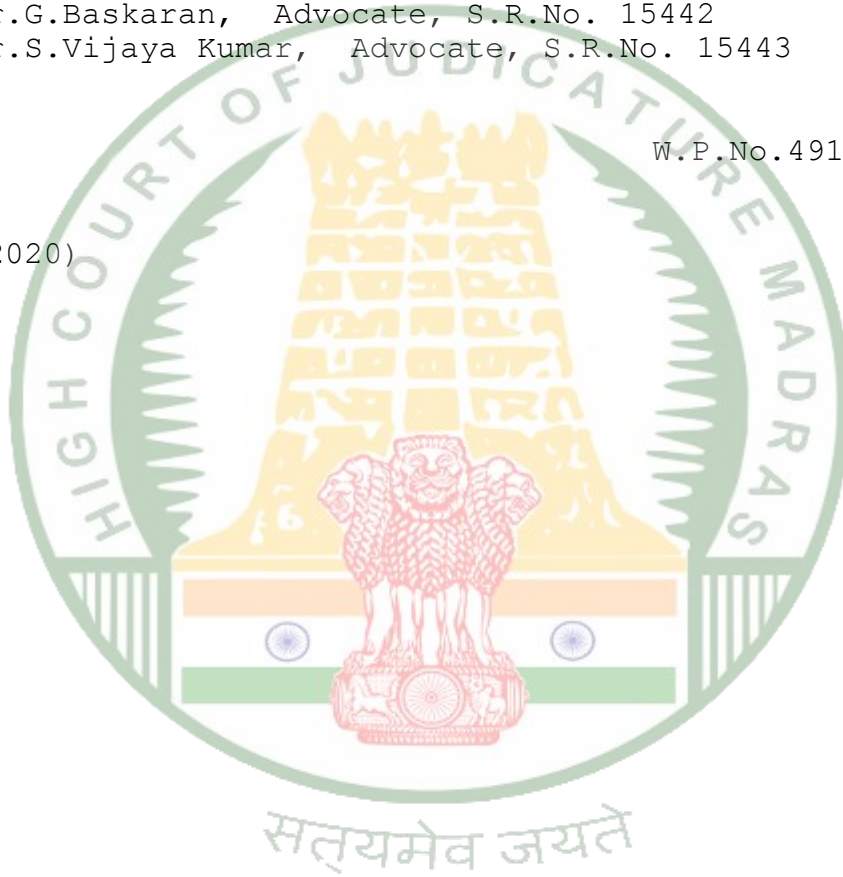
+1cc to Mr.V.Ajoykhose, Advocate, S.R.No.15460

+1cc to Mr.G.Baskaran, Advocate, S.R.No. 15442

+1cc to Mr.S.Vijaya Kumar, Advocate, S.R.No. 15443

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VG II(CO)
GN(18/03/2020)



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