

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.02.2020

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

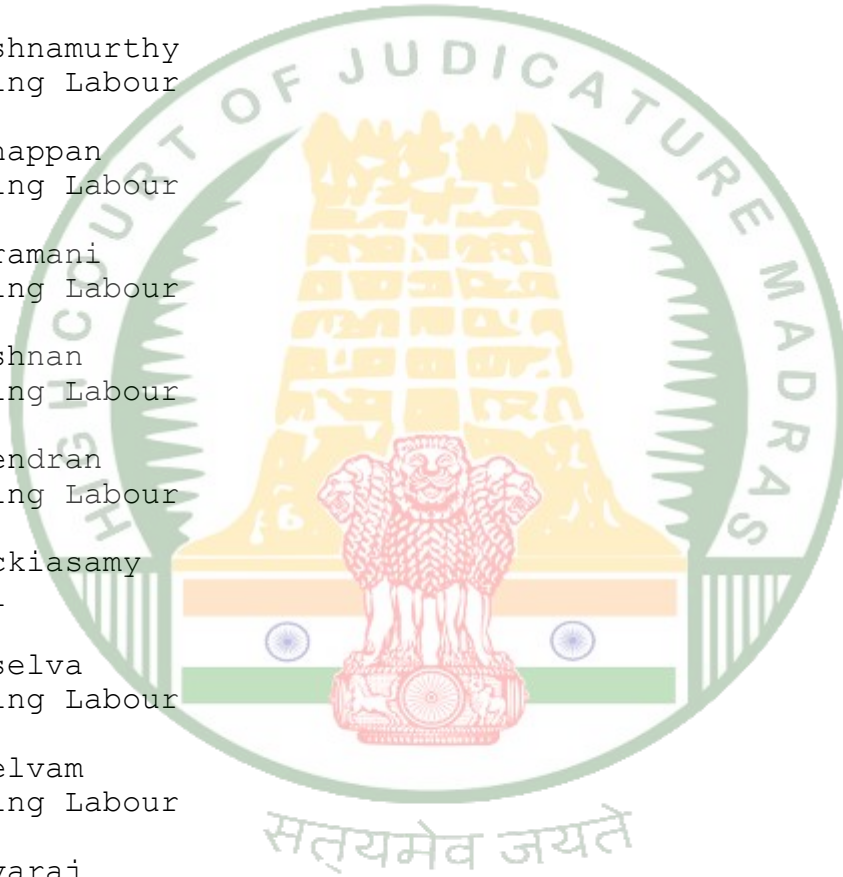
W.P.No.4914 of 2017
and
W.M.P.No.5148 of 2017

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,
Puducherry.
-Petitioners

vs.

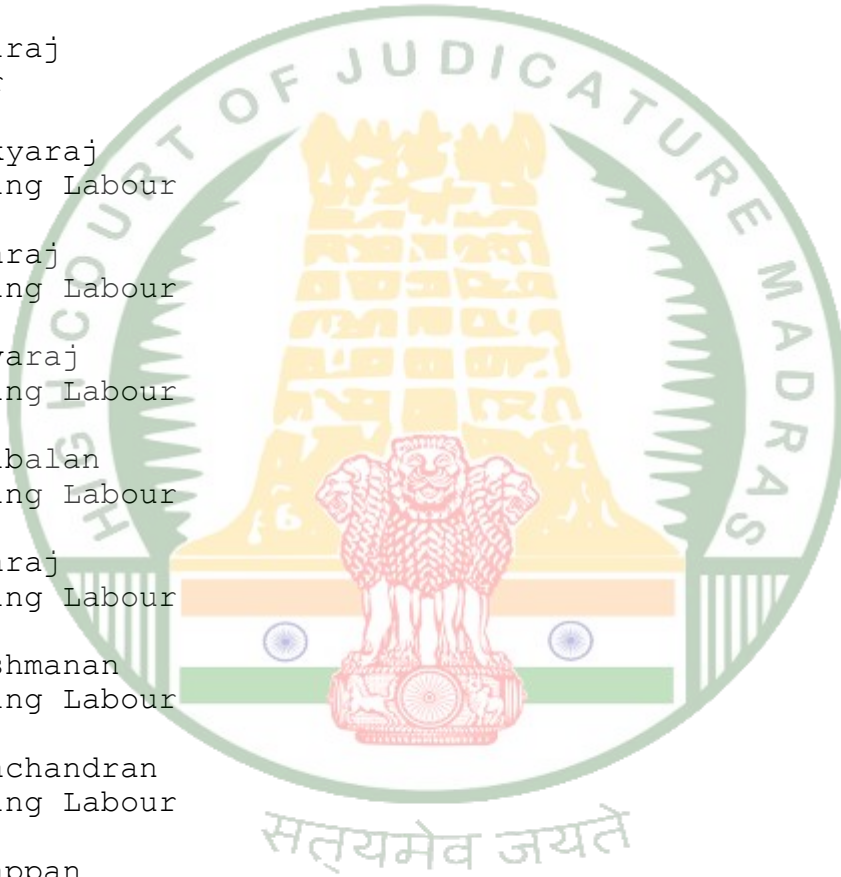
1. The Deputy Chief Labour Commissioner (C)
Ministry of Labour and Employment
Sastry Bhavan
No.26, Haddows Road, "A" Wing, 5th Floor
Nungambakkam,
Chennai-6.
2. The Regional Labour Commissioner (Central)
Sastry Bhavan
No.26, Haddows Road, "A" Wing, 5th Floor
Nungambakkam,
Chennai-6.
3. The Regional Labour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

4. S.Thangavel
Sarda
5. S.Maruthamuthu
Mandal
6. P.Kaathavarayan
Handling Labour
7. S.Paramasivam
Handling Labour
8. T.Krishnamurthy
Handling Labour
9. K.Kannappan
Handling Labour
10. K.Subramani
Handling Labour
11. N.Krishnan
Handling Labour
12. K.Rajendran
Handling Labour
13. A.Arockiasamy
Mandal
14. J.Jaiselva
Handling Labour
15. T.K.Selvam
Handling Labour
16. K.Selvaraj
Handling Labour
17. S.Nagarajan
Handling Labour
18. P.Kamaraj
Handling Labour
19. M.Sarangan
Handling Labour



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20. K.Selvam
Handling Labour
21. P.Azagappan
Handling Labour
22. V.Venkatachalapathy
Handling Labour
23. A.Govindan
Handling Labour
24. T.Amulraj
Sardar
25. K.Bakkyaraj
Handling Labour
26. M.Nagaraj
Handling Labour
27. P.Selvaraj
Handling Labour
28. K.Manibalan
Handling Labour
29. K.Apparaj
Handling Labour
30. V.Lakshmanan
Handling Labour
31. E.Ramachandran
Handling Labour
32. R.Iyyappan
Handling Labour
33. S.Sasindran
Handling Labour
34. X.Mahimaidoss
Handling Labour
35. S.Pouchepa Srinivasan
Handling Labour



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36. T.Sivasubramanian
Handling Labour

37. D.John Wisely
Handling Labour

38. J.Jayaganesh
Handling Labour

39. P.Pradeepraj
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.7/16 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 R18, R20 to R27,
R29 to R39

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.

s/d-

Assistant Registrar(CS-III)

True Copy

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.
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Suit No.III, I Floor, Kanaga Apartment
13A Lady Doak College Road
Chinna Chokkikulam
Madurai - 625 002.

+1 CC to Mr.G.Baskaran, Advocate sr 16945.

+1 CC to Mr.S.Vijayakumar, Advocate sr 16549.

+1 CC to Mr.V.Ajoy Khose, Advocate sr 16475.

W.P.No.4914 of 2017

GP(CO)

SP(28/02/2020)