

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.02.2020

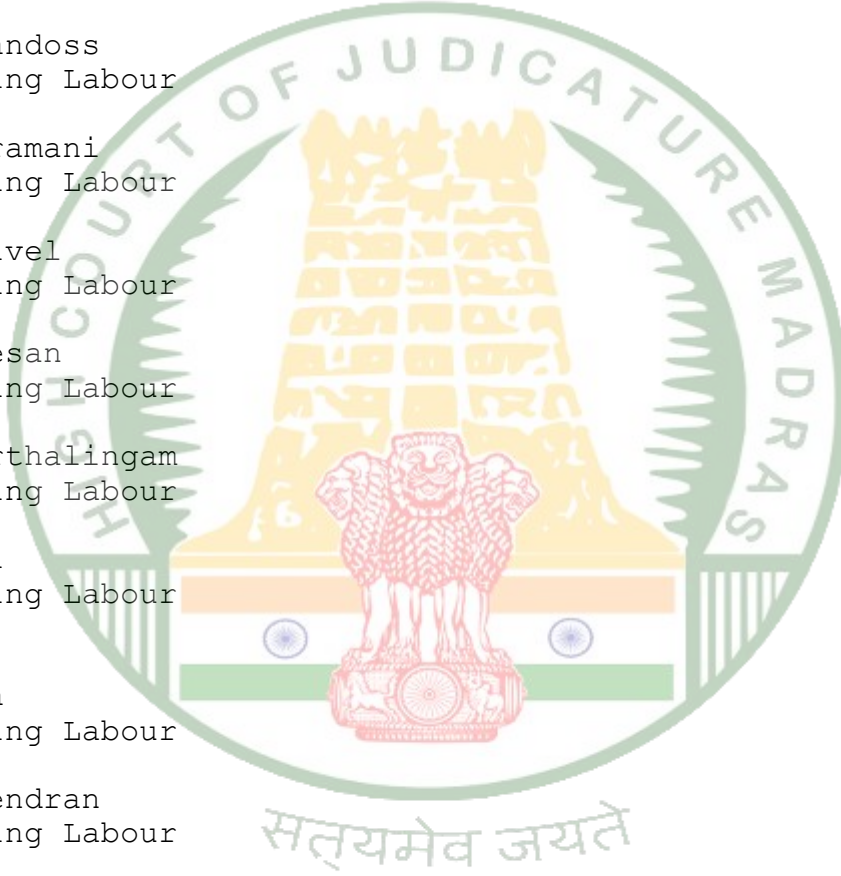
CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.4942 of 2017
and
W.M.P.No.5172 of 2017

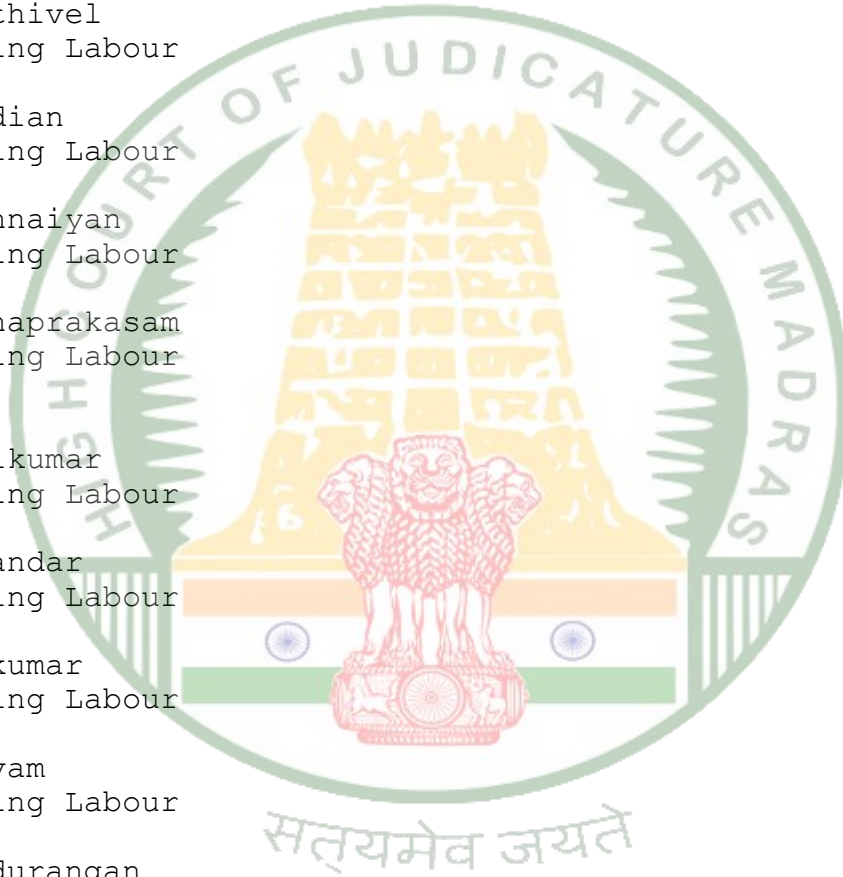
1. The General Manager,
Food Corporation of India,
Regional Office,
8, Sathyamurthy Road, FCI,
FSD, Egmore Complex,
Chetpet, Chennai - 31.
 2. The Area Manager,
Food Corporation of India,
District Office,
North Agraharam Street,
Thanjavur 613 009
 3. The Manager(Depot),
Food Corporation of India, FSD,
Thiruchumpalli
Sembanarkoil - 609 309.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. R.Gnanavel
Sardar
5. M.Veeramuthu
Mandal
6. V.Paramasivam
Handling Labour
7. G.Ganesamurthy
Handling Labour
8. R.Mohandoss
Handling Labour
9. V.Veeramani
Handling Labour
10. M.Vadivel
Handling Labour
11. K.Ganesan
Handling Labour
12. V.Amirthalingam
Handling Labour
13. R.Mani
Handling Labour
14. K.Raja
Handling Labour
15. E.Rajendran
Handling Labour
16. S.Sankar
Handling Labour
17. R.Amuthalingam
Sardar
18. M.Senthil
Mandal



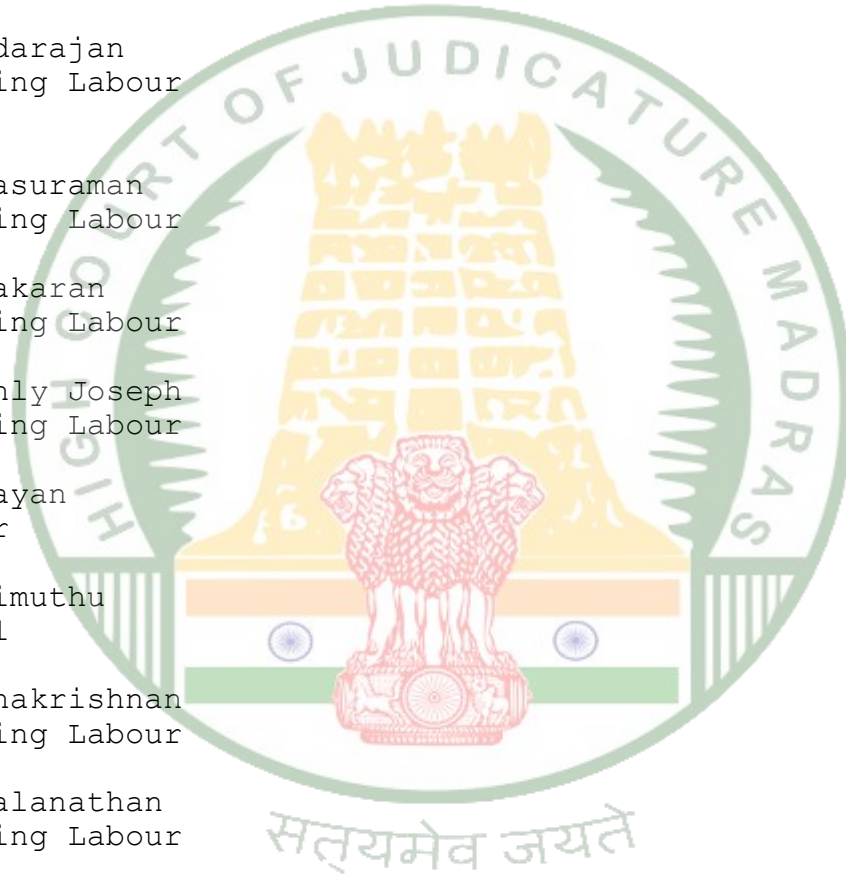
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19. B.Anbazhagan
Handling Labour
20. S.Rajendran
Handling Labour
21. V.Shanmugam
Handling Labour
22. M.Anbalagan
Handling Labour
23. S.Sakthivel
Handling Labour
24. V.Pandian
Handling Labour
25. G.Chennaiyan
Handling Labour
26. A.Gnanaprakasam
Handling Labour
27. K.Sasikumar
Handling Labour
28. S.Surandar
Handling Labour
29. Y.Rajkumar
Handling Labour
30. R.Selvam
Handling Labour
31. R.Pandurangan
Handling Labour
32. K.Gopi
Handling Labour
33. P.Ramadoss
Handling Labour
34. A.Sampath
Handling Labour



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35. R.Vinoth
Handling Labour
36. S.Ragu
Handling Labour
37. N.Selvakumar
Handling Labour
38. A.Ravichandran
Handling Labour
39. V.Sundarajan
Handling Labour
40. S.Parasuraman
Handling Labour
41. M.Denakaran
Handling Labour
42. S.Stanly Joseph
Handling Labour
43. T.Vijayan
Sardar
44. A.Marimuthu
Mandal
45. R.Radhakrishnan
Handling Labour
46. V.Kamalanathan
Handling Labour
47. R.Kannaiyan
Handling Labour
48. P.Renganathan
Handling Labour
49. S.Nelavazen
Handling Labour



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50. K.Baskaran
Handling Labour

51. G.Murugan
Handling Labour

52. K.Mariyappan
Handling Labour

53. S.Gopinath
Handling Labour

54. P.Vijayakumar
Handling Labour

55. K.Raj
Handling Labour ...Respondents

4 to 55 respondents are represented
through Vice President
FCI Workers Union, Registered Office
No.58/1, D.H.Road,
Kolkatta - 700 023.

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.10/16 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 R55

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 second respondent to the file of the third 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.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. 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)
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.

+1 cc to Mr.S.Vijayakumar Advocate sr15444

W.P.No.4942 of 2017

ssd(co)
aa17/03/2020



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