

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.02.2020

CORAM

THE HON'BLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.NO.5950 OF 2017

AND

W.M.P.Nos.10220 OF 2017

&

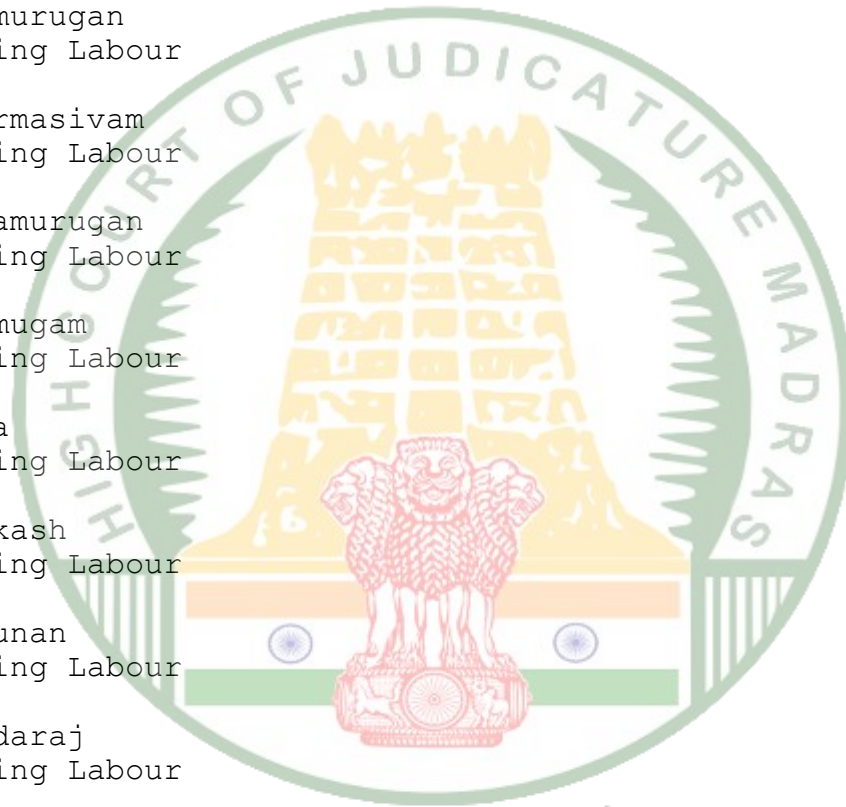
W.M.P.No.6381 OF 2017

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,
T.V.Koil, Puducherry State.Petitioners

vs.

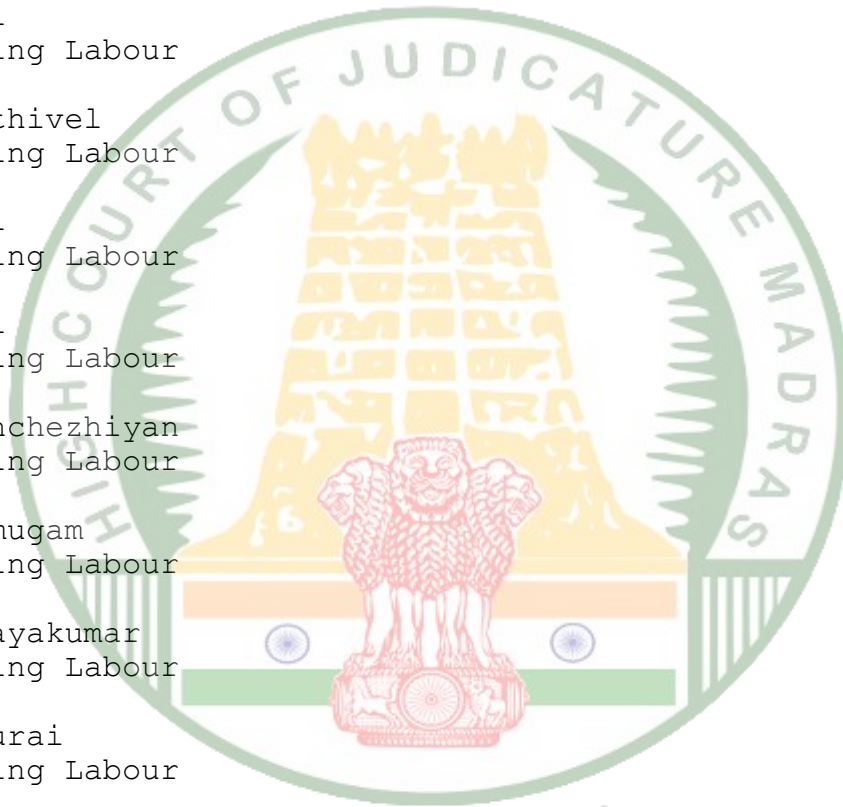
1. The Deputy Chief Labour Commissioner (C)
Ministry of Labour and Employment
Sastry Bhavan
No.26, Haddows Road, "A" Wing, 5th Floor
Nungambakkam,
Chennai-6.
2. The Regional Labour Commissioner (Central)
Sastry Bhavan
No.26, Haddows Road, "A" Wing, 5th Floor
Nungambakkam,
Chennai-6.
3. The Regional Labour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

4. V.Iyyanar
Handling Labour
5. M.Gajendran
Handling Labour
6. V.Rajaram
Handling Labour
7. T.Anbazhagan
Handling Labour
8. S.Velmurugan
Handling Labour
9. V.Dharmasivam
Handling Labour
10. R.Balamurugan
Handling Labour
11. S.Arumugam
Handling Labour
12. C.Siva
Handling Labour
13. A.Prakash
Handling Labour
14. E.Arjunan
Handling Labour
15. D.Sundaraj
Handling Labour
16. B.Babuli Biswal
Handling Labour
17. Sathiya Pradhan
Handling Labour
18. K.Mannathan
Mandal
19. P.Elango
Handling Labour
20. M.Kuppusamy
Handling Labour



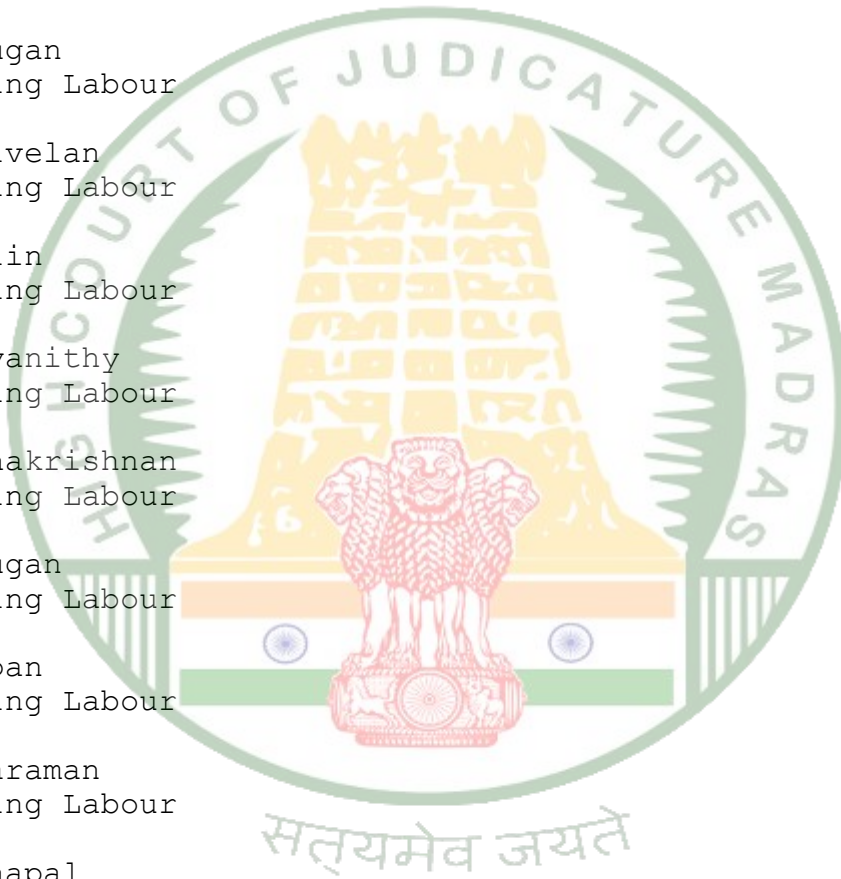
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21. R.Jayachandran
Handling Labour
22. P.Mayavan
Handling Labour
23. S.Sundaramurthy
Handling Labour
24. K.Prabhakaran
Handling Labour
25. A.Raji
Handling Labour
26. A.Sakthivel
Handling Labour
27. R.Arul
Handling Labour
28. V.Ravi
Handling Labour
29. V.Elanchezhiyan
Handling Labour
30. D.Arumugam
Handling Labour
31. V.Vijayakumar
Handling Labour
32. V.Madurai
Handling Labour
33. M.Angalamurthy
Handling Labour
34. K.Anbalagan
Handling Labour
35. K.Sivasankar
Handling Labour
36. K.Mani
Handling Labour
37. C.Ramachandran
Handling Labour



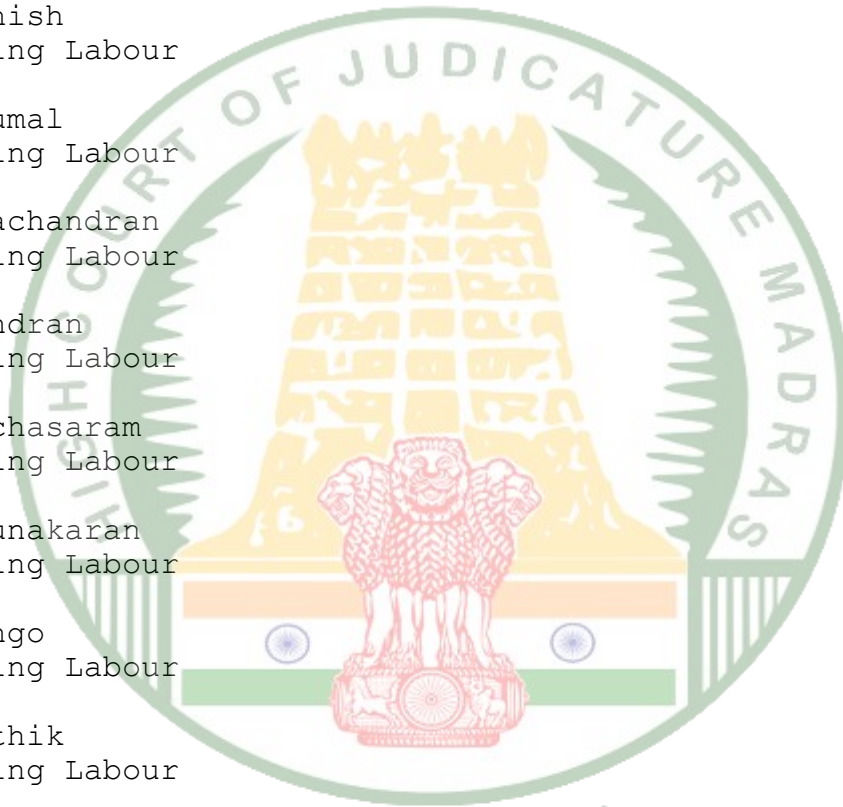
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38. V.Rajan
Handling Labour
39. N.Selvam
Handling Labour
40. A.Kolanchinathan
Handling Labour
41. K.Santhosh
Handling Labour
42. S.Murugan
Handling Labour
43. D.Vadivelan
Handling Labour
44. S.Stalin
Handling Labour
45. S.Thayanithy
Handling Labour
46. P.Radhakrishnan
Handling Labour
47. D.Murugan
Handling Labour
48. L.Kuppan
Handling Labour
49. P.Jeyaraman
Handling Labour
50. S.Dhanapal
Handling Labour
51. R.Pachaivannan
Handling Labour
52. M.Saminathan
Handling Labour
53. A.Sundarasu
Handling Labour



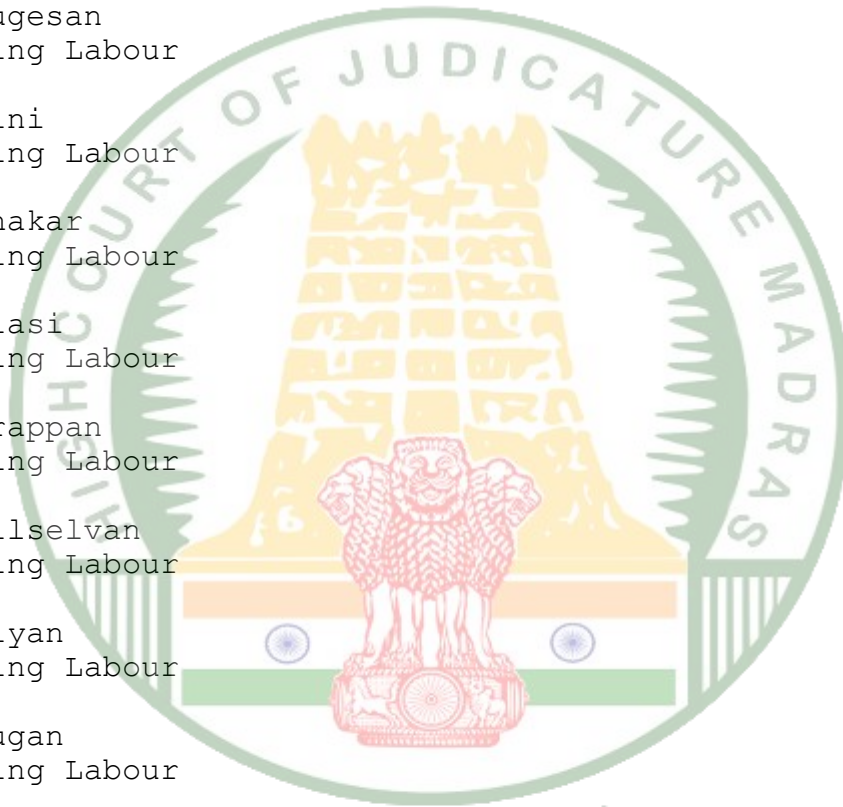
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54. M.Arumugam
Handling Labour
55. B.Subramani
Handling Labour
56. M.Tamilselvam
Handling Labour
57. S.Thulasirasan
Handling Labour
58. V.Sathish
Handling Labour
59. N.Perumal
Handling Labour
60. K.Ramachandran
Handling Labour
61. M.Chandran
Handling Labour
62. K.Panchasaram
Handling Labour
63. I.Karunakaran
Handling Labour
64. M.Elango
Handling Labour
65. E.Karthik
Handling Labour
66. K.Ganesan
Handling Labour
67. M.Sathyabalan
Handling Labour
68. R.Moorthy
Handling Labour
69. N.Elangovan
Handling Labour
70. S.Suresh
Handling Labour



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71. S.Kumar
Handling Labour
72. P.Vijayan
Handling Labour
73. L.Prakash
Handling Labour
74. A.Neelakandan
Handling Labour
75. M.Murugesan
Handling Labour
76. E.Rajini
Handling Labour
77. R.Sudhakar
Handling Labour
78. I.Thulasi
Handling Labour
79. E.Veerappan
Handling Labour
80. I.Tamilselvan
Handling Labour
81. G.Kaliyan
Handling Labour
82. J.Murugan
Handling Labour
83. V.Alexander
Handling Labour
84. P.Kolanji
Handling Labour
85. R.Sivaperuman
Handling Labour
86. D.Ramakrishnan
Handling Labour
87. K.Venkateshan
Handling Labour



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88. N.Murugaiyan
Handling Labour

89. M.Balamurugan
Handling Labour

90. N.Jegajeevan
Handling Labour

91. L.Kannapiran
Handling Labour

92. A.Moorthy
Handling Labour

93. G.Kaliyamurthy
Handling Labour

94. K.Magesh
Handling Labour

95. M.Thandapani
Handling Labour

96. S.Sivaprakasam
Handling Labour

97. G.Thirumalai
Handling Labour

98. A.Ramakrishnan
Handling Labour

99. D.Gunasekaran
Handling Labour

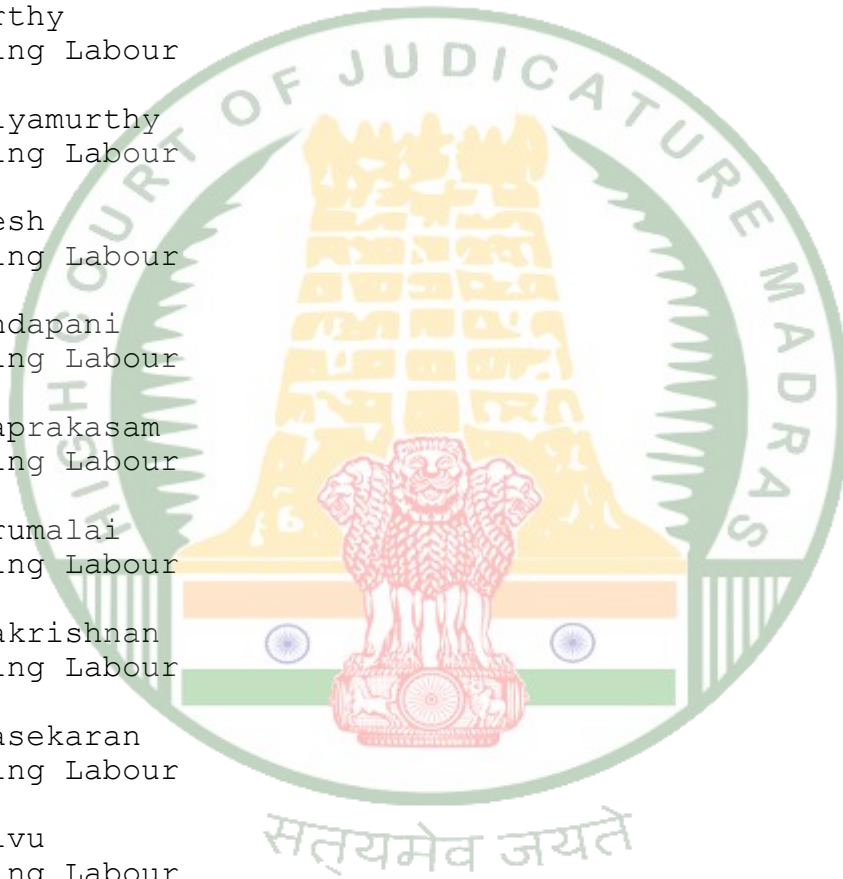
100. K.Vadivu
Handling Labour

101. N.Vadivel
Handling Labour

102. K.Victorraj
Handling Labour

103. D.Mohanraj
Handling Labour

104. S.Kannabiran
Handling Labour



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105.V.Manikandan
Handling Labour

106.M.Ramesh
Handling Labour

107.J.Thirumalai
Handling Labour

108.M.Madankumar
Handling Labour

109.J.Anandan
Handling Labour

110.J.Kubendran
Handling Labour

111.V.Raghavan
Handling Labour

112.J.Suresh
Handling Labour

113.K.Kailasam
Handling Labour

114.M.Kandasamy
Handling Labour

115.P.Erusappan
Handling Labour

116.S.Vinothabalan
Handling Labour

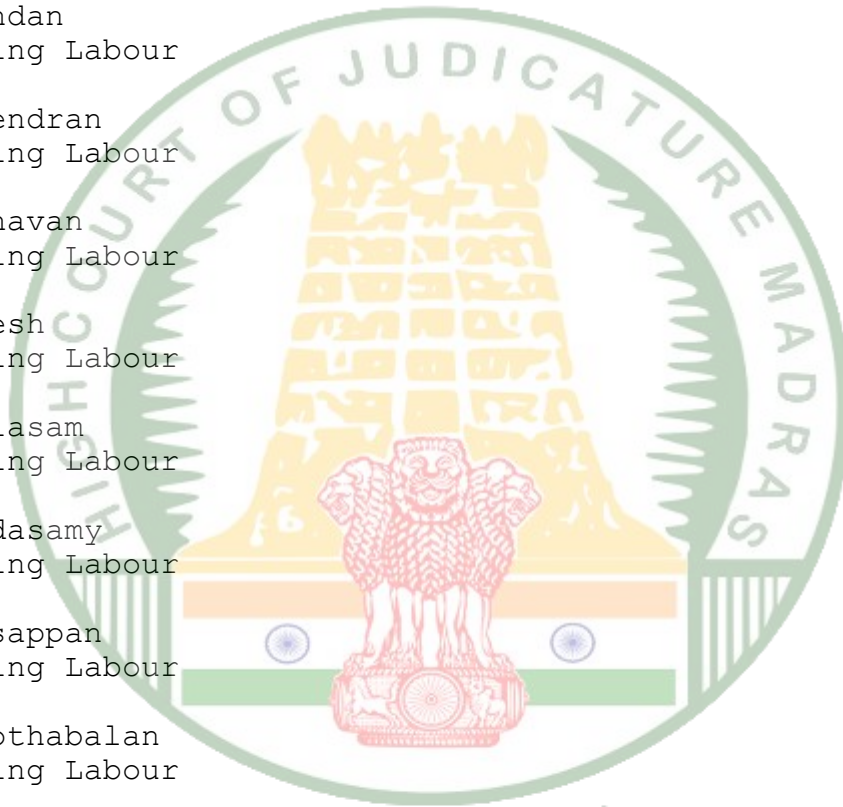
117.M.Aathi
Handling Labour

118.E.Arunachalam
Handling Labour

119.J.Govindan
Handling Labour

120.A.Jaiganesh
Handling Labour

121.R.Singarajaboopathy
Handling Labour



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122.K.Kumaravel
Handling Labour

123.K.Rajini
Handling Labour

124.D.Ramesh
Handling Labour

125.S.Sekar
Handling Labour

126.N.Seeralan
Handling Labour

127.P.Balraj
Handling Labour

128.M.Jalakandan
Handling Labour

129.L.Raghujena
Handling Labour

130.K.Saravanan
Handling Labour

131.A.Palani
Handling Labour

132.S.Sakthivel
Handling Labour

133.K.Thangavel
Handling Labour

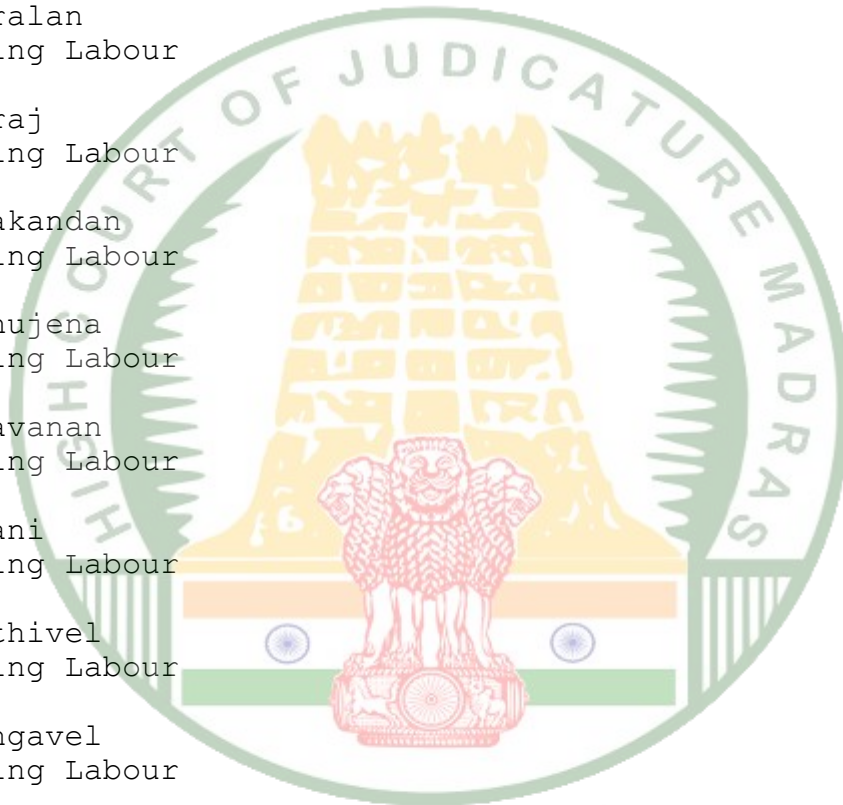
134.V.Shankar
Handling Labour

135.P.Murali
Handling Labour

136.Judhisthira Majhi
Handling Labour

137.Bhagirathi Majhi
Handling Labour

138.Nakula Majihi
Handling Labour



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139.Kalu Palai
Handling Labour

140.Arujuna Nayak
Handling Labour

141.Lochana Palai
Handling Labour

142.Ramesh Tarai
Handling Labour

143.Gundicha Sahoo
Handling Labour

144.Ramesh Sahoo
Handling Labour

145.Amulya Majihi
Handling Labour

146.Kalu Lenka
Handling Labour

147.Phakira Majhi
Handling Labour

148.Srikanta Malik
Handling Labour

149.Pad Majhi
Handling Labour

...Respondents

RR 4 to 149 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.11/16 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 R149

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/-

Assistant Registrar(CS V)

//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.
2. The Regional Labour Commissioner (Central)
Sastry Bhavan, No.26, Haddows Road, "A" Wing, 5th Floor
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3. The Regional Labour Commissioner (Central)
Suit No.III, I Floor, Kanaga Apartment
13A Lady Doak College Road
Chinna Chokkikulam
Madurai - 625 002.

+1cc to Mr.S.Vijayakumar, Advocate, S.R.No.15445

W.P.No.5950 of 2017

SV(CO)
CS/28/05/2020



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