



W.P.(MD)Nos.10904 and 14415 of 2020

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:31.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.10904 of 2020

and

W.P.(MD)No.14415 of 2020

W.P.(MD)No.10904 of 2020

P.Arunachalam,
President,
Tirunelveli District Southern Railway
Goods Shed Goods Loading and Unloading
Coolie Workers Association,
(Reg. No.1150/TVL)
3/1, Chidambaram Nagar,
Shankar Nagar,
Tirunelveli- 627 357.

... Petitioner

Vs.

1.The Senior Divisional Commercial Manager,
Commercial Department,
Southern Railway,
Madurai Division,
Madurai.

2.The Station Manager,
Southern Railway,
Madurai Division,
Tirunelveli Railway Station,
Tirunelveli.



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3.The Divisional Commercial Inspector,
Commercial Department,
Southern Railway,
Madurai Division,
Tirunelveli Railway Station,
Tirunelveli.

4.The Station Manager,
Southern Railway,
Gangaikondan Railway Station,
Tirunelveli District.

5.The Chief Superintendent of Goods,
Southern Railway,
Madurai Division,
Tirunelveli Railway Station,
Tirunelveli.

... Respondents

Prayer:Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to consider the petitioner's representation, dated 13.08.2020 and 21.08.2020 to permit the members of the petitioner's association namely Southern Railway Good Shed goods loading and unloading Coolie Workers Association to continue as load men in Gangaikondan Railway Station Goods yard.

For Petitioner : Mr.T.Lenin Kumar

For Respondents : No Appearance



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W.P(MD)No.14415 of 2020:

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P.Jeyakumar,
Secretary,
Tirunelveli Mavattam Gangaikondan and Aladipatti Railway Good Shed
Sumai Ettri Erakum Cooli Thozhilalargal Sangam,
Center Street, Thenkalam Pudhur,
Thenkalaam(post),
Sankar Nagar(Via),
Tirunelveli District – 627357

... Tirunelveli

Vs.

- 1.The Senior Divisional Commercial Manager,
Commercial Department,
Southern Railway,
Madurai Division,
Madurai.
- 2.The Station Manager,
Southern Railway,
Madurai Division,
Tirunelveli Railway Station,
Tirunelveli.
- 3.The Divisional Commercial Inspector,
Commercial Department,
Southern Railway,
Madurai Division,
Tirunelveli Railway Station,
Tirunelveli.
- 4.The Station Manager,
Southern Railway,
Gangaikondan Railway Station,
Tirunelveli District.



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5.The Chief Superintendent of Goods,
Southern Railway,
Madurai Division,
Tirunelveli Railway Station,
Tirunelveli.

6.P.Arunachalam
(6th respondent is impleaded as per order of
this Court dated 31.01.2023 in W.M.P(MD)
No.16536 of 2020 by MDIJ)

... Respondents

Prayer:Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to engage the petitioner's union members for loading and unloading carrying works to be carried out at Kangaikondan railway good shed yard and Aladipati villge, Tirunelveli District.

For Petitioner	: Mr.D.Selvanayagam
For R-1 to R-5	: No Appearance
For R-6	: Mr.T.Lenin Kumar

COMMON ORDER

Since the issue raised in these writ petitions is one and the same,
the writ petitions are disposed of by way of this common order.



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2. The case of the petitioners is that the petitioners are registered Goods Shed Labour Unions. Their grievance is that the Goods Shed functioning at Tirunelveli Junction is going to be transferred to Gangaikondan Railway Station. The petitioner in W.P(MD)No.14415 of 2020, formed an Association in the name and style of “Tirunelveli Mavattam Gangaikondan and Aladipatti Railway Good Shed Sumai Ettri Erakum Cooli Thozhilalargal Sangam” and they are seeking employment to their union members, for which, they have made a representation to the official respondents on 26.09.2020. Since the same was not considered, they have filed this writ petition.

3. Similarly, the petitioner in W.P(MD)No.10904 of 2020, also formed an association in the name and style of “Tirunelveli District Southern Railway Goods Shed Goods Loading and Unloading Coolie Workers Association”. In view of the transfer of Goods Shed functioning at Tirunelveli Junction to Gangaikondan Railway Station, they apprehend that they will be deprived of from getting job in Gangaikondan Good Shed, for which, they have also made a representation to provide



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employment opportunity. Since the same was not considered, they have filed this writ petition with the aforesaid prayer.

4. When the matter is taken up for hearing today, the learned counsel appearing for the petitioner in W.P(MD)No.10904 of 2020, on instructions, would submit that the petitioner Association has no objection in engaging the members of the petitioner Union in W.P(MD)No.14415 of 2020.

5. Similarly, the learned counsel appearing for the petitioner in W.P(MD)No.14415 of 2020, on instructions, would submit that the petitioner Association has no objection in engaging the members of the petitioner Union in W.P(MD)No.10904 of 2020.

6. In view of the consent view expressed by the learned counsel appearing for the petitioners, this Court directs the Railway Board, to avail the services of the respective petitioners' Union in Gangaikondan Goods Shed and pass appropriate orders, by considering the



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representations dated 26.09.2020(made by petitioner in W.P(MD)No.14415 of 2020) and 21.08.2020(made by the petitioner in W.P(MD)No.10904 of 2020), as expeditiously as possible.

With the above direction, these writ petitions are disposed of.

No Costs.

31.01.2023

PM

NCS:Yes/No

Index:Yes/No

Internet:Yes/No



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To:

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- 2.The Station Manager,
Southern Railway,
Madurai Division,
Tirunelveli Railway Station,
Tirunelveli.
- 3.The Divisional Commercial Inspector,
Commercial Department,
Southern Railway,
Madurai Division,
Tirunelveli Railway Station,
Tirunelveli.
- 4.The Station Manager,
Southern Railway,
Gangaikondan Railway Station,
Tirunelveli District.
- 5.The Chief Superintendent of Goods,
Southern Raialway,
Madurai Division,
Tirunelveli Railway Station,
Tirunelveli.



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M.DHANDAPANI, J.

pm

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