



W.P.No.35607 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated: 01.02.2024

Coram:

THE HONOURABLE MRS.JUSTICE N.MALA

W.P.No.35607 of 2023

R.Sreenivasamurthy

...Petitioner

vs.

1. The Labour Commissioner,
No:5, Kamaraj Salai, Pattinapakkam,
Tamil Nadu 600 005.

2. Director of Industrial Safety and Health,
1, SIDCO Industrial Estate,
Guindy, Chennai- 600 032.

3. The Regional Labour Director,
Regional Labour Institute,
Sriram Nagar, Kotturpuram,
Chennai 600 113.

4. The Joint Director,
Industrial Safety and Health,
3-2, 1st Floor, Seetharam Nagar,
Krishnagiri Road, Hosur.

5. Inspector of Factories,
3/2 A, Service Road,
Seetharam Nagar,

1/6



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Hosur, Krishnagiri District,
Tamil Nadu-635 109.

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...Respondents

Writ petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to consider the petitioner representations dated 23.11.2022 and to conduct the enquiry and further direct the 1st respondent to revert the petitioner to the earlier designation or related any clerical designation.

For Petitioner : Mr.M.Prem Kumar

For Respondents : Mrs.Mythraye Chandru,
Special Government Pleader

ORDER

Writ petition is filed for a writ of mandamus to consider the petitioner's representations dated 23.11.2022, to conduct the enquiry and further direct the 1st respondent to revert the petitioner to earlier designations .

2. The petitioner joined Ashok Leyland on 30.12.1995 as Monthly Rated clerk. The petitioner was suddenly depromoted as Daily Rated Employee without any intimation and was placed in Direct Production work. In direct production work, the petitioner due to lack of technical knowledge in handling the unknown equipments and for want of proper training experience in the same, suffered several physical injuries. The



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Ashok Leyland New Union represented to the management on behalf of the petitioner and similarly placed persons to revert them to their original place. On 01.11.2021 the Ashok Leyland unit II (MR) Employees Association also sent representation against the de-promotion, but the same was not considered by the respondent. Therefore the petitioner on 27.09.2022 sent representation to the 3rd respondent to revert him and other employees to the regular post. As the respondents did not consider the representations of the petitioner the above writ petition is filed.

3. The learned counsel for the petitioner submits that it would suffice if a direction is issued to the respondents to consider the petitioner's representations dated 23.11.2022 and 03.02.2023 within a time frame.

4. The learned counsel for the respondents submits that four (4) weeks may be granted to consider the representations of the petitioner.

5. In view of the limited relief claimed, the respondents 4 and 5 are directed to consider the representations of the petitioner dated 23.11.2022 and 03.02.2023 and pass orders in accordance with law within a period of four (4) weeks from the date of receipt of a copy of this order.



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Accordingly writ petition is disposed of. No Costs.

01.02.2024

dsn

Index:Yes/No

Speaking Order:Yes/No

Neutral Citations:Yes/No



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N.MALA,J.

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