



WEB COPY



W.P.No.30138 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.03.2025

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**W.P.No.30138 of 2018
and W.M.P.No.35171 of 2018**

1.P.Gokul
2.S.Thuyavan
3.T.G.Venkateshprabhu

... Petitioners

Vs.

1.Food Corporation of India,
Rep.by its General Manager (TN),
Tamil Nadu Regional Office,
Chennai.

2.The Area Manager,
Food Corporation of India,
District Office,
Coimbatore-641 012.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India
praying for issuance of Writ of Declaration, to declare that the ouster of the



W.P.No.30138 of 2018

petitioners from the service of the respondent at FSD, Main Depot of Food Corporation of India at Coimbatore as illegal, null and void.

For Petitioners : Mr.P.Ebenezer Paul
For Respondents : Mrs.S.R.Sumathy

ORDER

This Writ Petition has been filed to declare that the ouster of the petitioners from service in the respondents Food Corporation of India is illegal and void.

2. The learned counsel appearing for the petitioners submits that the petitioners were working regularly in the respondents Food Corporation of India at FSD North, Main Depot, Coimbatore from the year 2010. While so, all of a sudden, their services were ousted, without issuing any notice. Therefore, the present Writ Petition has been filed.



W.P.No.30138 of 2018

WEB COPY

3. The learned counsel appearing for the respondents submits that the petitioners are casual employees and are not permanent employees and whenever their services were required, they were utilised. Further, the issue raised in this writ petition is a disputed question of fact.

4. The petitioners claim that they were working regularly in the respondents Food Corporation of India at FSD North, Main Depot, Coimbatore, from the year 2010 and their services were ousted without issuing any notice, whereas the respondents claimed that the petitioners were casual employees and not permanent employees and their services were utilised, when it was required. However, the issue raised in this writ petition is a disputed question of fact and it cannot be decided by this Court. Hence, liberty is granted to the petitioners to raise the Industrial Dispute before the Labour Court in the manner known to law. The period during which this writ petition is pending before this Court is to be excluded for the purpose of limitation.



W.P.No.30138 of 2018

WEB COPY

5. Accordingly, this Writ Petition is dismissed. There shall be no

order as to costs. Connected miscellaneous petition is closed.

26.03.2025

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No
ssb

To

1. Food Corporation of India,
Rep. by its General Manager (TN),
Tamil Nadu Regional Office,
Chennai.

2. The Area Manager,
Food Corporation of India,
District Office,
Coimbatore-641 012.



WEB COPY



W.P.No.30138 of 2018

M.DHANDAPANI, J.

ssb

W.P.No.30138 of 2018

26.03.2025