



WEB COPY

W.P. No. 22357 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-03-2026

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THE HON'BLE MR JUSTICE M.DHANDAPANI

W.P. No. 22357 of 2025

and W.M.P.No.25184 of 2025

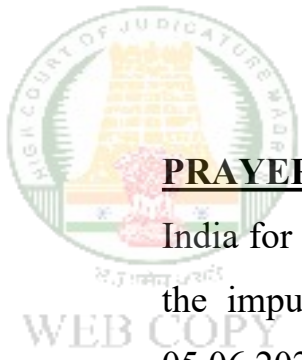
Kasirajan Anbalagan
S/o.Anbalagan No.102 Kamarajar Nagar
Padikuppam Salai, Thirumangalam, Chennai- 40.

..Petitioner

Vs

1. The Deputy Chief Labour Commissioner Central
5th Floor, A Wing, Shastri Bhawan, Haddows
Road, Nungambakkam, Chennai-06.
2. The Assistant Labour Commissioner
(Conciliation)- II, Chennai
No.26, III Block, 5th Floor, Shastri Bhawan,
Haddows Road, Nungambakkam, Chennai-06.
3. The Deputy General Manager (HR)
Tata Communications Limited, Jayanth Tech
Park, No.41, Mount Poonamallee Road,
Nandambakkam, Chennai- 89.
4. Amit Patnaik
The Deputy General Manager, Global
Operations BU, Tata Communications Limited
Alandi Road, Dighi, Pune-411 015.

..Respondent(s)



PRAYER: This Writ Petition is filed under Article 226 of the Constitution of India for the issuance of a Writ of Certiorari to call for the records pertaining to the impugned order passed by the 3rd respondent in his proceedings dated 05.06.2025, and to quash the same.

For Petitioner(s): Mr. K.Kathiresan

For Respondent(s): Mr. D.Ramesh Kumar
Standing Counsel for R1 and R2

Mr. C. Mohan and Ms.A.Rexy Josephine Mary
for M/s. King and Partridge for R3 and R4

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Certiorari to call for the records pertaining to the impugned order passed by the 3rd respondent in his proceedings dated 05.06.2025, and to quash the same.

2. The learned counsel for the petitioner submitted that the petitioner is working as a Senior Manager (Program Management) in the 3rd respondent Company from 27.04.2023 and is also serving as the President of Voice of IT Professionals, which is afflicted with *Makkal Sananayaga Amaipusaara Thozhirsangam*. It is further submitted that, in connection with the said Union activities undertaken on behalf of the employees, certain demands were made to the 3rd respondent vide representation dated 30.07.2024. Thereafter, the



petitioner raised an Industrial Dispute in I.D.No.1 of 2025 under Section 10(1) (d) of the Industrial Disputes Act, 1947, before the Deputy Chief Labour Commissioner (Central).

3. It is further case of the petitioner that, during the pendency of the said industrial dispute, the 3rd respondent issued the impugned transfer order dated 05.06.2025 transferring the petitioner from Chennai to Pune. Challenging the same, the present Writ Petition has been filed.

4. The learned counsel for the petitioner submitted that the transfer of the petitioner from Chennai to Pune in view of the Union, allegedly on account of his Union activities, is impermissible in law and amounts to victimisation. On the said ground, the present Writ Petition has been filed.

5. Per contra, the learned Standing Counsel for the submitted that the present Writ Petition is not maintainable as against the 3rd respondent Company, as it does not fall within the ambit of “State” under Article 12 of the Constitution of India. It is further submitted that, if the petitioner has any grievance with regard to the transfer, he has to raise an industrial dispute before



the competent Labour Court and therefore, the present Writ Petition is not sustainable.

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6. The learned Standing Counsel for the respondents further submitted that during the pendency of the Writ Petition, the petitioner failed to report at the transferred place and consequently, his services were treated as abandoned vide order dated 13.10.2025. Hence, the Writ petition has become infructuous.

7. Considering the facts and circumstance of the case, this Court, without expressing any opinion on the merits of the case, is of the view that the Writ Petition is not maintainable as against the 3rd respondent Company.

8. In such view of the matter, this Writ Petition is dismissed. However, liberty is granted to the petitioner to work out his remedy before competent forum in the manner known to law. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

12-03-2026

Asi



To

1. The Deputy Chief Labour Commissioner Central
5th Floor, A Wing, Shastri Bhawan, Haddows
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2. The Assistant Labour Commissioner
(Conciliation)- II, Chennai
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M.DHANDAPANI, J.

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