

[3301]

(SHOW CAUSE NOTICE BEFORE ADMISSION)

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

MONDAY ,THE EIGHTH DAY OF JULY

TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE PULLA KARTHIK

WRIT PETITION NO: 17730 OF 2024

Between:

1. The General Manager, The Singareni Collieries Company Limited, Ramagundam Area-II, Godavarikhani 8 Incline Colony Post, Peddapalli District, Telangana.
2. The General Manager Personnel, The Singareni Collieries Company Limited P.O. Kothagudem previously in Khammam District Bhadradi Kothagudem District
3. The General Manager, The Singareni Collieries Company Limited, Ramagundam Area-III, Godavarikhani 8 Incline Colony, Centenary Colony Post, Peddapalli District, Telangana. The General Manager (Personnel), The Singareni Collieries Company Limited, P.O. Kothagudem (previously in Khammam District), Bhadradi Kothagudem District, Telangana.

Petitioners

AND

1. The Chairman-cum-Presiding Officer, Industrial Tribunal-cum-Labour Court -cum-Additional District and Sessions Court, Godavarikhani-505 209, Peddapalli District, Telangana.
2. Ushanna Rajaiah, S/o Mallaiah, R/o. H.No.14-3-96, Vittal Nagar, Occ.General Mazdoor, EC N o.1234903, GDK 9 Incline, RG-II, The S.C.Co.Ltd., Godavarikhani-505 214, Peddapalli District
3. Gannu Mallesh, S/o Rajaiah, R/o.Q.No.ST2-2300, 8 Incline Colony-505211, Occ.General Mazdoor, GDK.9 Incline, EC No.1234335, RG-II, The S.C.Co.Ltd., Godavarikhani, Peddapalli District.
4. Kalthi Rajamouli, S/o Muthaiah, R/o.H.No.20-4-226, Gandhinagar, Occ.LHD Operator, EC No.1234547, GDK 9 Incline, The S.C.Co.Ltd., Godavarikhani-505 209, Peddapalli District.

5. Thoutam Shankaraiah, S/o.Rajam, R/o.Q.No.T1-482, 8 Incline Colony-505212, Occ. General Mazdoor, EC No.1234733, GDK 9 Incline, The S.C.Co.Ltd., Godavarikhani, Peddapalli District.
6. Buddarathi Bapu, S/o.Chinna Rayamallu, R/o.MB Block-18, Gandhinagar, Q.No.G, 8 Incline Colony, Occ. General Mazdoor, EC No.1234547, GDK 9 Incline, The S.C.Co.Ltd., Godavarikhani, Peddapalli District.
7. P.Satyanarayana, S/o. Rajaiah, R/o.Q.No.ST2-2569, 8 Incline Colony-505211, Occ.General Mazdoor, EC No.1235129, GDK 9 Incline, The S.C.Co.Ltd., Godavarikhani, Peddapalli District.
8. Md.Raj Mohammad, S/o. Janimiya, R/o.H.No.9-2-1614, Vittal Nagar, Occ.Motor Vehicle Driver, EC No.1234416, GDK 9 Incline, The S.C.Co.Ltd., Godavarikhani 505214, Peddapalli District.
9. Rendla Rayamallu, S/o Rajam, R/o.H.No.1-7312, Gunjapadu Village and Post, Manthani Mandal, Peddapalli District, Occ. General Mazdoor, EC No.1234822, GDK 9 Incline, The S.C.Co.Ltd.,
10. Neelam Shankaraiah, S/o Ramulu, R/o.Q.No.ST2-3229, 8 Incline Colony-505211, Occ. General Mazdoor, EC No.1232406, GDK 9 Incline, The S.C.Co.Ltd., Godavarikhani, Peddapalli District.
11. Buddarathi Komuraiah, S/o.Ramaiah, R/o.Q.No.ST2-2295, 8 Incline Colony-505211, Occ.General Mazdoor, EC No.1234327, GDK 8 Incline, The S.C.Co.Ltd., Godavarikhani, Peddapalli District.
12. Odela Ramesh, S/o.Mallaiah, R/o.H.No.9-5-131, Vittal Nagar, Godavarikhani-505214, Occ.General Mazdoor, EC No.1234513, GDK 8 Incline, The S.C.Co.Ltd., Godavarikhani, Peddapalli District.
13. Biyyala Shankaraiah, S/o.Odelu, R/o.Q.No.ST2-2842, 8 Incline Colony-505211, Occ.General Mazdoor, EC No.1234652, GDK 8 Incline, The S.C.Co.Ltd., Godavarikhani, Peddapalli District.
14. Puiipaka Komuraiah, S/o.Rajaiah R/o.Q.No.Block, 25-341, Pothana Colony, 8 Incline Colony-505211, Occ. General Mazdoor, EC No.1234867, OCP-1, RG-III, The S.C.Co.Ltd., Godavarikhani, Peddapalli District.
15. Uppuleti Thirupathi, S/o.Meenaiah, R/o.Q.No.D-823. Hanuman Nagar, Godavarikhani-505209, Occ. General Mazdoor, EC No.1234686, S and PC, RG-II, The S.C.Co.Ltd., Godavarikhani, Peddapalli District.

Respondents

WHEREAS the Petitioner above named through their Advocate Sri P SRI HARSHA REDDY (SC FOR SINGARENI COLLIERIES CO LTD) presented this Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be

pleased to issue appropriate Writ, Order or Direction particularly one in the nature of Writ of Certiorari by calling the records pertaining to Award dated 09.01.2023 in M.P.No.3 of 2012 passed by the Respondent No.1, Industrial Tribunal-cum-Labour Court, Godavarikhani and set aside the same.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri P SRI HARSHA REDDY (SC FOR SINGARENI COLLIERIES CO LTD) Advocate for the Petitioner, directed issue of notice to the Respondent Nos 2 to 15 herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. Ushanna Rajaiah, S/o Mallaiah, R/o. H.No.14-3-96, Vittal Nagar, Occ.General Mazdoor, EC No.1234903, GDK 9 Incline, RG-II, The S.C.Co.Ltd., Godavarikhani-505 214, Peddapalli District
2. Gannu Mallesh, S/o Rajaiah, R/o.Q.No.ST2-2300, 8 Incline Colony-505211, Occ.General Mazdoor, GDK.9 Incline, EC No.1234335, RG-II, The S.C.Co.Ltd., Godavarikhani, Peddapalli District.
3. Kalthi Rajamouli, S/o Muthaiah, R/o.H.No.20-4-226, Gandhinagar, Occ.LHD Operator, EC No.1234547, GDK 9 Incline, The S.C.Co.Ltd., Godavarikhani-505 209, Peddapalli District.
4. Thoutam Shankaraiah, S/o.Rajam, R/o.Q.No.T1-482, 8 Incline Colony-505212, Occ. General Mazdoor, EC No.1234733, GDK 9 Incline, The S.C.Co.Ltd., Godavarikhani, Peddapalli District.
5. Buddarathi Bapu, S/o.Chinna Rayamallu, R/o.MB Block-18, Gandhinagar, Q.No.G, 8 Incline Colony, Occ. General Mazdoor, EC No.1234547, GDK 9 Incline, The S.C.Co.Ltd., Godavarikhani, Peddapalli District.
6. P.Satyanarayana, S/o. Rajaiah, R/o.Q.No.ST2-2569, 8 Incline Colony-505211, Occ.General Mazdoor, EC No.1235129, GDK 9 Incline, The S.C.Co.Ltd., Godavarikhani, Peddapalli District.
7. Md.Raj Mohammad, S/o. Janimiya, R/o.H.No.9-2-1614, Vittal Nagar, Occ.Motor Vehicle Driver, EC No.1234416, GDK 9 Incline, The S.C.Co.Ltd., Godavarikhani 505214, Peddapalli District.
8. Rendla Rayamallu, S/o Rajam, R/o.H.No.1-7312, Gunjapadu Village and Post, Manthani Mandal, Peddapalli District, Occ. General Mazdoor, EC No.1234822, GDK 9 Incline, The S.C.Co.Ltd.,
9. Neelam Shankaraiah, S/o Ramulu, R/o.Q.No.ST2-3229, 8 Incline Colony-505211, Occ. General Mazdoor, EC No.1232406, GDK 9 Incline, The S.C.Co.Ltd., Godavarikhani, Peddapalli District.

10. Buddarathi Komuraiah, S/o.Ramaiah, R/o.Q.No.ST2-2295, 8 Incline Colony-505211, Occ.General Mazdoor, EC No.1234327, GDK 8 Incline, The S.C.Co.Ltd., Godavarikhani, Peddapalli District.
11. Odela Ramesh, S/o.Mallaiah, R/o.H.No.9-5-131, Vittal Nagar, Godavarikhani-505214, Occ.General Mazdoor, EC No.1234513, GDK 8 Incline, The S.C.Co.Ltd., Godavarikhani, Peddapalli District.
12. Biyyala Shankaraiah, S/o.Odelu, R/o.Q.No.ST2-2842, 8 Incline Colony-505211, Occ.General Mazdoor, EC No.1234652, GDK 8 Incline, The S.C.Co.Ltd., Godavarikhani, Peddapalli District.
13. Pulipaka Komuraiah, S/o.Rajaiah R/o.Q.No.Block, 25-341, Pothana Colony, 8 Incline Colony-505211, Occ. General Mazdoor, EC No.1234867, OCP-1, RG-III, The S.C.Co.Ltd., Godavarikhani, Peddapalli District.
14. Uppuleti Thirupathi, S/o.Meenaiah, R/o.Q.No.D-823. Hanuman Nagar, Godavarikhani-505209, Occ. General Mazdoor, EC No.1234686, S and PC, RG-II, The S.C.Co.Ltd., Godavarikhani, Peddapalli District.

are directed to show cause on or before 14.08.2024 to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

IA NO: 1 OF 2024

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the operation of the Order dated 17.10.2022 passed by the 1st Respondent in GA No. 36/112/2021- E1 /Dy confirming order dated 27.07.2020 passed by the 2nd Respondent in GA Appl.No. 48/105/2019-ALC and pass, pending disposal of WP No. 17730 of 2024, on the file of the High Court.

The Court made the following: ORDER

Notice before Admission.

Sri Gadi Praveen Kumar, learned Deputy Solicitor General of India takes notice on behalf of respondent No.1, waives further notice and seeks time to file counter.

Registry is directed not to take out notice to respondent No.1 in view of the above waiver.

Issue notice to respondent Nos.2 to 15.

Learned counsel for the petitioners is permitted to take out personal notice to respondent Nos.2 to 15 through registered post with acknowledgment due and file proof of service in the Registry by the next date of hearing.

Post on 14.08.2024 for counter.

SD/- A.PRATHIMA
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. Ushanna Rajaiah, S/o Mallaiah, R/o. H.No.14-3-96, Vittal Nagar, Occ.General Mazdoor, EC N o.1234903, GDK 9 Incline, RG-II, The S.C.Co.Ltd., Godavarikhani-505 214, Peddapalli District
2. Gannu Mallesh, S/o Rajaiah, R/o.Q.No.ST2-2300, 8 Incline Colony-505211, Occ.General Mazdoor, GDK.9 Incline, EC No.1234335, RG-II, The S.C.Co.Ltd., Godavarikhani, Peddapalli District.
3. Kalthi Rajamouli, S/o Muthaiah, R/o.H.No.20-4-226, Gandhinagar, Occ.LHD Operator, EC No.1234547, GDK 9 Incline, The S.C.Co.Ltd., Godavarikhani-505 209, Peddapalli District.
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11. Odela Ramesh, S/o.Mallaiah, R/o.H.No.9-5-131, Vittal Nagar, Godavarikhani-505214, Occ.General Mazdoor, EC No.1234513, GDK 8 Incline, The S.C.Co.Ltd., Godavarikhani, Peddapalli District.
12. Biyyala Shankaraiah, S/o.Odelu, R/o.Q.No.ST2-2842, 8 Incline Colony-505211, Occ.General Mazdoor, EC No.1234652, GDK 8 Incline, The S.C.Co.Ltd., Godavarikhani, Peddapalli District.
13. Pulipaka Komuraiah, S/o.Rajaiah R/o.Q.No.Block, 25-341, Pothana Colony, 8 Incline Colony-505211, Occ. General Mazdoor, EC No.1234867, OCP-1, RG-III, The S.C.Co.Ltd., Godavarikhani, Peddapalli District.
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(FOR ADRESSES 1 TO 14 by RPAD- along with a copy of petition and memorandum of grounds)
15. One CC to SRI. P SRI HARSHA REDDY (SC FOR SINGARENI COLLIERIES CO LTD) Advocate [OPUC]
16. One spare copy

HIGH COURT

PKJ

DATED:08/07/2024

POST ON 14.08.2024 FOR COUNTER.



NOTICE BEFORE ADMISSION

WP.No.17730 of 2024