

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.22602 OF 2016

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Labour appearing for respondents 1 to 5 and Sri C.Niranjan Rao, learned counsel for respondent No.6. With their consent, the Writ Petition is disposed of at the admission stage itself.

2. The present Writ Petition came to be filed seeking issuance of writ of *mandamus*, declaring the inaction of respondents 1 to 5 in taking appropriate action against the arbitrary closure of the 6th respondent company as illegal and arbitrary and consequently, to declare the act of respondents 1 to 5 in not stopping respondent No.6 from alienation and dispossession of machinery during pendency of conciliation proceedings as arbitrary and illegal.

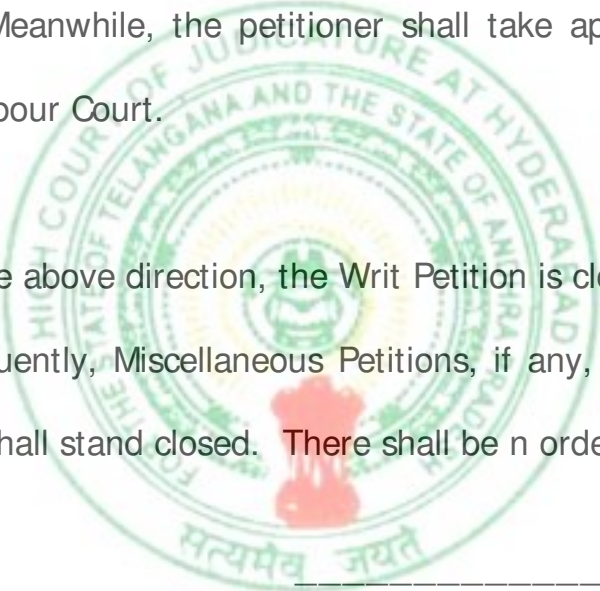
3. The grievance of the petitioner is that the 6th respondent company is a subsidiary to the company named Hershey India Private Limited. The said holding company, which is having entire control over its subsidiary company, is strategically trying to damage the brand image of subsidiary company, in order to promote its own products in Indian market. The 6th respondent company has illegally closed the industry unilaterally without giving an opportunity to the workers whose livelihood is depending upon the prospects of the company.

4. It is to be noted that the matter is now pending before the Labour Court, Anantapur and objections, which were raised by the said Court, are said to have been complied with by the respondents herein. Hence, nothing survives for adjudication in this writ petition.

5. In view of the above, petitioner is at liberty to pursue the remedy available under law before the Labour Court, Anantapur. Interim Order, which has been passed by this Court shall be in force for a period of ten (10) days from the date of receipt of a copy of this order. Meanwhile, the petitioner shall take appropriate steps before the Labour Court.

6. With the above direction, the Writ Petition is closed.

Consequently, Miscellaneous Petitions, if any, pending in this writ petition shall stand closed. There shall be n order as to costs.



JUSTICE C. PRAVEEN KUMAR

Date:24.07.2017
INL