THE HON'BLE SRI JUSTICE M.GANGA RAO

WRIT PETITION No.27382 of 2006

ORDER:

The petitioner A.P. Mutta Zattu Hamalis Mazdoor Sangh, a registered Union, filed this Writ Petition to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus directing respondent No.1-The Assistant Commissioner of Labour, Srikakulam District to interfere and resolve the dispute between the two Mutta Jattu Hamalis unions and that only the Loddaputti Mutta Jattu Hamalis to operate at Loddaputti and further to direct the Ichhapuram Mutta Jattu Hamalis Union, who are two kilometres away from Loddaputti, not to interfere with the peaceful work of the petitioner Union at Loddaputti area.

2. The case of petitioner is that the petitioner Union is a registered Union bearing registration No.2067/91. The members of the petitioner Union are engaged in loading and unloading work on lorries and buses etc. at Jarada Junction, Loddaputti Village. While so, the Government of Andhra Pradesh has enacted the Mutta Jattu Hamalis Act in the year 1976 and by virtue of the G.O.Ms.No.144 dated 19.02.1977 under Section 28(1) Rules have been framed, in which different regulations have been made. A scheme was evolved in 1978 under which loading and unloading, tagging, weighing etc. have been

regulated. The respondent No.2-Ichhapuram Pattana Jattu Kalasis Union bearing registration No.547/81 forcing the petitioner Union to allot entire work to their members, consequent to which the petitioner Union is suffering. In those circumstances, they made a representation to respondent No.1 to resolve the issue, as the services of the petitioner Union and respondent No.2 Union are governed by the provisions of the Mutta Jattu Hamalis Workers Act, 1976. The Sarpanch of the Loddaputti Village had reported to the Assistant Commissioner of Labour to inspect and take action regarding maintenance of registers of Loddaputti workers and directing Ichhapuram Mutta workers not to interfere in Loddaputti Mutta work. He further reported to the Assistant Commissioner of Labour, which is actually the Loddaputti shall be given preference to all the Mutta Jattu Hamalis work as to the loading and unloading. All the workers may be allotted their registered numbers as per the provisions of the Mutta Jattu Hamalis workers Act at Loddaputti. The Assistant Commissioner has not taken any action, consequent to which there is a problem of Law and Order.

3. So far respondent No.1 has not filed counter.

4. Heard both sides.

5. In the facts and circumstances of the case, respondent No.1 is directed to inspect the Loddaputti Village, Ichhapuram

Mandal, Srikakulam District and take stock of the situation and resolve the issue as per law and under the provisions of the Mutta Jattu Hamalis Workers Act, 1976 and the Rules framed thereunder.

Accordingly, this Writ Petition is disposed of. No order as to costs. Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

M.GANGA RAO, J

19.02.2018
MVA