

THE HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

WRIT PETITION No. 21467 of 2012

ORDER:

The petitioners seek Writ of *Mandamus* declaring G.O.Ms.No.582, Labour, Employment, Training and Factories Department, dated 14.10.2008 issued by first respondent as illegal, void, arbitrary, unconstitutional and in violation of the provisions of Employees State Insurance Act, 1948 and the Factories Act, 1948 and to declare that the petitioners' institutions are not covered under the provisions of the Employees State Insurance Act, 1948 and consequently to set aside the notices Nos.52-00-035884-000-1303 and 52-00-035882-000-1303, dated 17.10.2011 respectively on the file of respondent No.2.

2. When the matter came up for hearing, both the learned counsel would submit that the subject matter in the instant writ petition is covered by the Common Order of a Division Bench of this Court in Writ Appeal Nos.200 of 2016 and Batch wherein, the orders dated 6.10.2015 in Writ Petition Nos.6363 of 2009 and Batch were challenged and the Division Bench, ultimately dismissed the Writ Appeals on 16.03.2016, confirming the orders of Learned Single Judge, who held that writ petitioner could not make out a case to assail the validity of Gazette Notification No.582 dated 14.10.2008 notifying the G.O.Rt.No. 1887 Labour, Employment Training and Factories (IMS), dated 26.9.2008.

3. Therefore, the instant writ petition is dismissed in terms of the Common Order in Writ Appeal Nos. 200 of 2016 and Batch, dated 16.3.2016. No costs.

As a sequel, miscellaneous petitions pending if any, shall stand closed.

U.DURGA PRASAD RAO, J

Date: 03/10/2018

Slk



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