



**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI
(SPECIAL ORIGINAL JURISDICTION)**

**MONDAY, THE THIRTIETH DAY OF JANUARY,
TWO THOUSAND AND TWENTY THREE**

:PRESENT:

**THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO
WRIT PETITION NO: 1044 OF 2023**

Between:

Andhra Pradesh Paper Mills Staff and Workers Union, Regd. No.D-26/1970
(Affiliated to CITU), through its President Shri. S. Venkateswara Rao, 16-3-3-1/2,
Sriram Nagar, BTR Bhavan, Rajamahendravaram - 533105. East Godavari District

...Petitioner

AND

1. The State of Andhra Pradesh, through the Special Chief Secretary, Department of Labour Employment as Training and Factories, A.P. Secretariat Buildings, Velagapudi, Amaravati. Guntur District.
2. The Commissioner of Labour, Government of A.P., Vijayawada. Krishna District.
3. The Joint Commissioner of Labour, Government of A.P., Eluru. West Godavari District.
4. The Deputy Commissioner of Labour, Government of A.P., Kakinada. East Godavari District.
5. Andhra Paper Ltd., through its Associate Vice-President, Sriram Nagar, Rajamahendravaram. East Godavari District.
6. Sri. S.K. Bangur, Chairman and Managing Director,

REGISTERED OFFICE:

Andhra Paper Ltd., Sriram Nagar, Rajamahendravaram. East Godavari District.

CORPORATE OFFICE:

Andhra Paper Limited, 1st Floor, 31, Chowringee Road, Kolkata - 700 016. West Bengal.

7. Sri. Mukesh Jain, Director (Commercial and C.F.O.), Andhra Paper Ltd., Sriram Nagar, Rajamahendravaram. East Godavari District.
8. Sri. Akkineni Jayakrishna, Associate Vice- President IR and HR, Andhra Paper Ltd., Sriram Nagar, Rajamahendravaram. East Godavari District.
9. Sri. Chitturi Praveen Chowdary, S/o Stanly Chowdary (now late), Hindu, aged 41 yrs., Assistant Operator, APP Mills, General Secretary, A.P.P. Mills Karmika Sangham, Regd. No. G836 (Affiliated to TNTUC), Opp. APP Mills Gate, Sriram Nagar, Rajamahendravaram

...Respondents

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 an appropriate order, writ or direction more particularly one in the nature of Writ of Mandamus declaring the inaction on the part of the Respondents 1 to 4 to prevent the 5th respondent and its Management from recruiting ineligible and unqualified persons in the vacancies created by retiring of certain existing permanent

employees under the guise of Parampara - II Scheme in the 5th respondent establishment, by adopting unlawful, illegal, unfair, corrupt and backdoor methods and in violation of the wage settlements dt.07.01.2019 with regard to the regularization of Casual, Badili and Contract Workmen and the recruitment process undertaken by the 5th respondent under Parampara - II Scheme, without following due process of law, as illegal, irregular, arbitrary and violative of the provisions of the Settled Principles of Law and also offends Articles 14, 19 & 21 of the Constitution of India apart from violation of mandatory provisions of the Industrial Disputes Act, the Contract Labour (Regulation and Abolition) Act, 1970 and the provisions of Trade Unions Act, 1926 and the provisions of Trade Unions Act, 1926 and consequently direct the respondent no. 5 to regularize the employment of the contract and other workers seniority-wise who are already working in the 5th respondent.

IA NO: 1 OF 2023

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the Respondents not to implement the orders of appointments given by the respondents 5 to 8 under the Parampara -II Scheme, pending disposal of WP.No.1044 of 2023, on the file of the High Court.

IA NO: 2 OF 2023

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the Respondents 1 to 4 to monitor the recruitment process in the 5th respondent establishment and ensure that the 5th respondent does not make appointments under the Parampara -II Scheme by duly considering the representation of petitioner Union dt.06.07.2022, pending disposal of WP.No.1044 of 2023, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri Mangena Sree Rama Rao, Advocate for the Petitioner and GP for Labour for the Respondent Nos.1 to 4, the Court made the following;

ORDER:

"There shall be a direction to the respondents, any appointment only as per the scheme provided. No appointment shall be made outside the purview of the Parampara scheme.

Post after three (03) weeks for filing counter."

//TRUE COPY//

**Sd/- T.Madhavi
ASSISTANT REGISTRAR**

For ASSISTANT REGISTRAR

To,

1. The Special Chief Secretary, Department of Labour Employment as Training and Factories, A.P. Secretariat Buildings, Velagapudi, Amaravati. Guntur District.
2. The Commissioner of Labour, Government of A.P., Vijayawada. Krishna District.
3. The Joint Commissioner of Labour, Government of A.P., Eluru. West Godavari District.
4. The Deputy Commissioner of Labour, Government of A.P., Kakinada. East Godavari District.
5. The Associate Vice-President, Andhra Paper Ltd., Sriram Nagar, Rajamahendravaram. East Godavari District.
6. Sri. S.K. Bangur, Chairman and Managing Director, REGISTERED OFFICE: Andhra Paper Ltd., Sriram Nagar, Rajamahendravaram, East Godavari District. CORPORATE OFFICE: Andhra Paper Limited, 1st Floor, 31, Chowringee Road, Kolkata - 700 016. West Bengal.
7. Sri. Mukesh Jain, Director (Commercial and C.F.O.), Andhra Paper Ltd., Sriram Nagar, Rajamahendravaram. East Godavari District.
8. Sri. Akkineni Jayakrishna, Associate Vice- President IR and HR, Andhra Paper Ltd., Sriram Nagar, Rajamahendravaram, East Godavari District.
9. Sri. Chitturi Praveen Chowdary, S/o Stanly Chowdary (now late), Assistant Operator, APP Mills, General Secretary, A.P.P. Mills Karmika Sangham, Regd. No. G836 (Affiliated to TNTUC), Opp. APP Mills Gate, Sriram Nagar, Rajamahendravaram (Addressee Nos.1 to 9 by RPAD)
10. One CC to Sri. Mangena Sree Rama Rao, Advocate [OPUC]
11. Two CCs to GP for Labour, High Court of Andhra Pradesh. [OUT]
12. One CC to G.V.S.Ganesh, Advocate [OPUC]
13. One spare copy

MM

HIGH COURT

TRRJ

DATED:30/01/2023

NOTE: POST AFTER THREE (03) WEEKS FOR FILING COUNTER

ORDER

WP.No.1044 of 2023

DIRECTION

