



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3504]

FRIDAY, THE SEVENTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE MAHESWARA RAO KUNCHEAM

WRIT PETITION NO: 26947/2017

Between:

1. T. MAHABOOB BASHA, KADAPA DIST & 5 OTHERS, S/O T. MAHABOOB SAHEB AGED ABOUT 63 YEARS, WORKED AS FIELD MAN R/O DOOR NO. 5/123-1, RAVINDRA NAGAR KADAPA, KADAPA DISTRICT.
2. Y. SIDDIAH, S/O SUBBAIAH AGED ABOUT 61 YEARS, WORKED AS FIELD MAN R/O 2-2-84, POOLA BAVI STREET BADVEL, KADAPA DISTRICT.
3. P. SUBBA RAYUDU, S/O SUBBANNA AGED ABOUT 62 YEARS, WORKED AS WIREMAN R/O 4/30, ASWATHUGANIPALLI VILLAGE R.V. NAGAR POST, KADAPA, KADAPA DISTRICT.
4. J. RAJA GOPAL, S/O RAMAIAH AGED ABOUT 63 YEARS, WORKED AS FITTER R/O 11/30, ASWATHUGANIPALLI VILLAGE R.V. NAGAR POST, KADAPA, KADAPA DISTRICT.
5. G. SUBBARAJU, S/O G. VENKATA SUBBA RAJU AGED ABOUT 61 YEARS, WORKED AS WARD BOY R/O DOOR NO. 42/774, M.G. KUNTA CHINNA CHOWK POST, KADAPA, KADAPA DISTRICT.
6. S. SUBBA RAJU, S/O ROSI RAJU AGED ABOUT 61 YEARS, WORKED AS DRIVER R/O DOOR NO. 2/193, NEHRU NAGAR, CHINNA CHOWK POST, KADAPA, KADAPA DISTRICT.

...PETITIONER(S)

AND

1. PRL SECRETARY INDUSTRIES COMMERCE DEPT VELAGAPUDI 4, REP BY ITS PRINCIPAL SECRETARY, INDUSTRIES AND COMMERCE DEPARTMENT, VELAGAPUDI, GUNTUR DISTRICT.

- 2.THE DIRECTOR OF SUGAR AND CANE COMMISSIONER, GOVERNMENT OF ANDHRA PRADESH, GARDA ENCLAVE H.NO. 12/545/A, BESIDE KANAKA DURGAMMA VARADHI OPP: MUNICIPAL HOSPITAL, TADEPALLI, GUNTUR DISTRICT.
- 3.THE CUDDAPAH COOPERATIVE SUGAR FACTORY LTD, DOULTHPURAM, CHENNURU MANDAL KADAPA DISTRICT REP. BY ITS MANAGING DIRECTOR.
- 4.THE PERSON IN CHARGE/ COLLECTOR, THE CUDDAPAH COOPERATIVE SUGAR FACTORY LTD DOULTHPURAM, CHENNURU MANDAL KADAPA DISTRICT.
- 5.THE AUTHORITY UNDER PAYMENT OF GRATUITY ACT, CUM ASST. COMMISSIONER OF LABOUR GOVERNMENT OF ANDHRA PRADESH, CUDDAPAH.

...RESPONDENT(S):

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 or any other order or direction particularly one in the nature of Writ of Mandamus to declare the action of the respondents in not releasing the petitioners arrears of salaries, Gratuity, E.L.Encashment, 5th Wage Board arrears which are nothing but petitioners terminal benefits in spite of their clear entitlement and eligibility as illegal, arbitrary and unconstitutional and consequently direct the respondents to release the petitioners salaries and terminal benefits along with 18% interest at the earliest to pass

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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 issue a direction to the respondents to release the petitioners salaries and terminal benefits as was shown in relieving orders of the petitioners as due amounts along with 18% interest forthwith pending disposal of the Writ Petition in the interest of justice or to pass

Counsel for the Petitioner(S):

- 1.M SHALINI

Counsel for the Respondent(S):

- 1.GP FOR INDUSTRIES & COMMERCE (AP)
- 2.RAYAPROLU SRIKANTH

3.GP FOR LABOUR (AP)

The court made the following ORDER:-

The instant writ petition is filed under Article 226 of the Constitution of India seeking the following main prayer:-

“.....to declare the action of the respondents in not releasing the petitioner arrears of salaries, Gratuity, E.L.Encashment, 5th Wage Board arrears which are nothing but petitioner terminal benefits inspite of his clear entitlement and eligibility as illegal, arbitrary and unconstitutional and consequently direct the respondents to release the petitioner salaries and terminal benefits along with 18% interest at the earliest to pass.....”

2. The principal grievance of the petitioner is with regard to the non-release of arrears, gratuity, E.L. Encashment i.e., terminal benefits with interest, by the respondents.
3. At the outset, Ms. Anusha, learned Assistant Government Pleader for Industries and Commerce, appearing for respondent Nos.1 & 2 forwarded the written instructions dated nil issued by the 2nd respondent, which indicates that the 3rd respondent Corporation has cleared all the pending dues to the employees, including the petitioner, in the year 2022 itself. She submits that the cause in the writ petition no longer survives.
4. Sri Venkata Rama Sarma, learned counsel representing the learned counsel for the petitioner, has not disputed the said submission.
5. The relevant portion of the written instructions of the 2nd respondent is extracted as under:-

“.....It is further to submit that the pending dues to all the employees including the Petitioner were settled by the Cuddapah Coop. Sugars Ltd., Dowlathapuram during December 2022 itself and there are no dues payable to the employees as on date.

In view of the above, the Government Pleader for Industries, High Court of Andhra Pradesh is requested to bring the above facts to the kind notice of Hon'ble High Court and see that the Writ Petition No.26888/2017 is dismissed as infructuous.”

6. On a perusal of the written instructions furnished by the learned Assistant Government, it is apparent that the pending dues were already paid to the petitioner.

7. Having regard to the submissions made and in view of the above stated position, the writ petition is closed. No costs. As a sequel, all pending applications shall stand closed.

JUSTICE MAHESWARA RAO KUNCHEAM

Date: 07.11.2025
GVK

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THE HON'BLE SRI JUSTICE MAHESWARA RAO KUNCHEAM

WRIT PETITION No.26947 of 2017

Date: 07.11.2025

GVK