

[3328]

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

**WEDNESDAY, THE SIXTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE**

:PRESENT:

**THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA
PRASAD**

WRIT PETITION NO: 20175 OF 2025

Between:

1. M/s Samkrp Pistons And Rings Limited Plant-II, (Rings), Sy No.33, Varisham Village & Post, Ranasthalam Mandal, Srikakulam District. Rep by its Authorised Signatory and Director Operations, Saripalli Kishore, S/o. Saripalli Dali Mrutyunjaya Rao, Aged about 61 years, Occ: Business, R/o Dr.no.9-42-1, Balaji Nagar, Near SBI Zonal Branch, Siripuram, Visakhapatnam Urban, Andhra University, Visakhapatnam.
2. Saripalli Kishore, S/o. Saripalli Dali Mrutyunjaya Rao, Aged about 61 years, Occ: Business, Director of Smkrp Pistons and Rings Limited Plant-II (Rings), DIN No.01665768, R/o Dr.no.9-42-1, Balaji Nagar, Near SBI Zonal Branch, Siripuram, Visakhapatnam Urban, Andhra University, Visakhapatnam.

Petitioner/s

AND

1. The State of Andhra Pradesh, Rep.by its Principal Secretary, Labour Department, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.
2. The District Collector, Srikakulam District at Srikakulam, Andhra Pradesh.
3. The Joint Commissioner of Labour, Visakhapatnam Zone-1, Visakhapatnam District.
4. The Deputy Commissioner of Labour, Srikakulam District, Srikakulam.

5. Samkrig Pistons (Rings) Workers Union, Represented by its General Secretary, Varisam Village and Post, Ranasthalam Mandal, Srikakulam District.

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 a writ order or direction, more particularly one in the nature of writ of certiorari called for the records for entertaining the petition filed by the 5th respondent u/s 33-C (2) of Industrial Dispute Act vide MP No.2 of 2024 on the file of Industrial Tribunal Cum Labour Court, Visakhapatnam as illegal, arbitrary and without jurisdiction and against the Provisions of the Industrial Dispute Act and violation of Articles, 14,19, 21 and of the Constitution of India consequently declare that initiation of the proceedings u/s 33-C (2) of Industrial Dispute Act vide MP No.2 of 2024 on the file of Industrial Tribunal Cum Labour Court, Visakhapatnam null and void and without jurisdiction.

IA NO: 2 OF 2025

Petition under Section 151 CPC is filed praying that in the circumstances stated in the grounds filed in support of the petition, the High Court may be pleased to grant stay of all further proceedings in MP No.2 of 2024 on the file of Industrial Tribunal Cum Labour Court, Visakhapatnam filed by the 5th respondent, Pending disposal of WP 20175 of 2025, 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 DASARI S V V S V PRASAD, Advocate for the Petitioners, learned GP FOR LABOUR for the Respondent Nos.1 to 4, the Court made the following

ORDER:

“Heard Sri Dasari S.V.V.S.V. Prasad, learned Counsel for the Writ Petitioners and Sri Sk. Abdul Rasheed, learned Assistant Government Pleader for Labour.

2. Leaned Counsel for the Writ Petitioners is directed to take out Urgent Personal Notice in respect of the Unofficial Respondent No.5 within three days from today and file proof of receipt of Notice within three days thereafter.

3. Learned Counsel for the Writ Petitioners has drawn the attention of this Court to the Interim Order passed by this Court on 04.08.2025 in W.P.No.20189 of 2025. On verification, it transpires that the Petitioners in W.P.No.20189 of 2025 and the present Writ Petitioners are one and the same.

4. In this view of the matter, tag this Writ Petition along with W.P.No.20189 of 2025.

5. Having regard to the facts and circumstances of the case, there shall be a similar direction to the Industrial Tribunal, Visakhapatnam, not to pass any Award, until the next listing. It is clarified that the trial may go on in M.P.No.2 of 2024.

6. Let Counter-Affidavit in both the Writ Petitions be filed within three (03) weeks.

7. List these matters on 18.08.2025."

Sd/- K.J. RAJA BABU
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Industrial Tribunal Cum Labour Court Visakhapatnam,
Visakhapatnam District
2. The Principal Secretary, Labour Department, Secretariat Buildings,
Velagapudi, Amaravathi, Guntur District, State of Andhra Pradesh
(BY SPECIAL MESSENGER)
3. The District Collector, Srikakulam District at Srikakulam, Andhra
Pradesh.

4. The Joint Commissioner of Labour, Visakhapatnam Zone-1,
Visakhapatnam District.
 5. The Deputy Commissioner of Labour, Srikakulam District,
Srikakulam.
 6. Samkrp Pistons (Rings) Workers Union, Represented by its General
Secretary, Varisam Village and Post, Ranasthalam Mandal,
Srikakulam District. (Addressee Nos.3 to 6 by SPEED POST)
 7. One CC to SRI. DASARI S V V S V PRASAD Advocate [OPUC]
 8. Two CCs to GP FOR LABOUR, High Court of Andhra Pradesh.
[OUT]
 9. One spare copy
- KJ

HIGH COURT

GRKP,J

DATED:06/08/2025

LIST THIS MATTERS ON 18.08.2025, ALONG WITH WP.20189 OF 2025

ORDER

WP.No.20175 of 2025

DIRECTION

