

K. Krishnayya and Others Vs. Assistant Commissioner of Labour, Tirumala, Tirupathi and Others

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Court : Andhra Pradesh

Decided On : Nov-07-2000

Reported in : 2001(1)ALD38; 2000(6)ALT593; [2001(89)FLR171]; (2001)ILLJ962AP

Judge : M.S. Liberhan, C.J. and; Goda Raghuram, J.

Appeal No. : WA No. 929 of 2000

Appellant : K. Krishnayya and Others

Respondent : Assistant Commissioner of Labour, Tirumala, Tirupathi and Others

Advocate for Def. : Government Pleader for Labour, ;Mr. P.R. Prasad, Adv.

Advocate for Pet/Ap. : Mr. Temada Gopalakrishna, Adv.

Disposition : Appeal dismissed

Judgement :

ORDER

M.S. LIBERHAN, C.J.

1. This writ appeal arises out of an order of the learned single Judge declining to issue a mandamus directing respondent No.3 Indian Bank to continue the appellants in service as casuals and pay them wages on par with other employees who are similarly placed.

2. Briefly stated, the facts of the case are Tirumala Tirupathi Devasthanam initially entrusted the job of distributing prasadam by collecting the requisite amount to Bank of Baroda. It is contended by the appellants that Bank of Baroda engaged them for bringing laddu trays from TTD kitchen to the Distribution Counter at the rate of Rs.0-75 ps. per tray. Later, the job of distributing the laddus was entrusted to respondent No.3 Indian Bank, and it entered into a contract with M/s. Productive Security Services for bringing the laddus from TTD kitchen to the Distribution Counter on payment of Rs.0-75 ps. per tray. The said firm engaged the appellants for bringing the laddus from TTD kitchen to the Distribution Counter. The appellants were neither employed directly or indirectly with the respondent No.3-Bank nor were they engaged by the TTD for bringing the laddus from TTD kitchen to the Distribution Counter. In order not to cause any inconvenience to the pilgrims visiting the shrine, TTD has entrusted the job of distributing the prasadam to respondent No.3-Bank through its Distribution Counter. There is no privity of contract between the appellants and respondent No.3-Bank. There are no posts of Laddu Carriers or cadre as such in the respondent No.3-Bank, and therefore, no mandamus can be issued to respondent No.3 Bank directing it to create any such posts or cadre.

3. No other point or question of fact has been raised.

4. For the foregoing reasons, we find no error in the impugned judgment, warranting interference by this Court in writ appeal. Hence, the writ appeal fails, and is accordingly dismissed. No costs.