

APHC010293342025



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

[3457]

THURSDAY, THE NINETEENTH DAY OF JUNE
TWO THOUSAND AND TWENTY FIVE

PRESENT**THE HONOURABLE SRI JUSTICE HARINATH.N****WRIT PETITION NO: 14515/2025****Between:**

The Indian Cement Limited

...PETITIONER**AND**

The State Of Andhra Pradesh and Others

...RESPONDENT(S)**Counsel for the Petitioner:**

1. S DUSHYANTH REDDY

Counsel for the Respondent(S):

1. GP FOR HOME

The Court made the following:

THE HON'BLE SRI JUSTICE HARINATH.N**WRIT PETITION NO.14515 OF 2025****ORDER:**

1. The petitioner is a cement manufacturing unit established at Yerraguntla, Kadapa District. The petitioner is a subsidiary unit of Ultra Tech Cements. During the course of their business, the petitioner has engaged the services of labour contractors for the packing and loading of cement bags. The licenced labour contractor has an agreement with the petitioner company and payment is made to the licenced labour contractor on a tonnage basis.
2. The learned counsel appearing for the petitioner submits that, at the instance of the local politician, the contract labour have raised illegal demands of absorbing them on the rolls of the company. The contract labour are employed by the contractor and paid by the contractor. It is submitted that the petitioner company has no agreement or arrangement with any of the individual labour, who are employed by the contractor.
3. It is submitted that the contract employees have stalled the packaging and loading of cement bags from 20.04.2025. Repeated letters were sent to the contractor to resume the packing and loading work. It is further submitted that the petitioner is informed that the local politician is instigating the workmen to raise illegal demands and stall the operation of the plant by closing the main gates. The brute force of the agitating

workmen is causing a threat and fear of assault to the employees and other staff. It is submitted that on 05.06.2025, about ten packaging contract workers, along with about 90 other outsiders, attempted to break open the company's main gate. It is also submitted that the petitioner brought the same to the notice of the police. However, the police have not extended the required support.

4. The learned counsel for the petitioner further submits that the contract employees have laid a siege to the plant from 05.06.2025 and have prevented entry and exit of the employees and vehicles into the plant. In this regard, the petitioner submitted two other complaints to the 4th respondent. It is submitted that several contract workmen are willing to resume work. However, the unruly mob sitting out at the gate has resulted in the closure of the manufacturing facility at the plant. It is submitted that the closure of the plant would not serve any purpose and the State would also be losing revenue in the form of non-payment of taxes. The petitioner is seeking police protection for facilitating the ingress and egress into the factory premises for the employees and other staff.
5. The learned Government Pleader appearing for the Home Department, on written instructions, submits that the police have provided security with one sub-inspector along with 12 personnel from 06.06.2025 onwards. It is also submitted that the petitioner was advised to take necessary steps to bring the issue to the attention of the concerned

revenue, labour and industries department. It is submitted that these departments are competent to initiate appropriate action and facilitate effective negotiations with the contract labours and the local villagers. The 4th respondent in the written instructions submits that the local villagers are referred to as 'sons of the soil'.

6. It is further submitted that instead of initiating appropriate action to resolve the issue with the labour the petitioner has approached the District Collector, YSR Kadapa District, with a request to provide additional security. It is submitted that from 12.06.2025 onwards, the respondents have deployed two sub-inspectors with 20 police personnel with the intent to avoid any untoward incident in the premises of the said plant. The learned Government pleader also placed on record the photographs of the deployment of the men at the request of the petitioner.
7. The learned Government Pleader submits that the issue of demands raised by the contract labour has to be addressed by the petitioner company in an appropriate manner instead of relying on the respondents and alleging non-cooperation from the respondents.
8. Heard the learned counsel for the petitioner and the learned Government Pleader. The written instructions, along with the photographs, are taken on record.
9. The submission of the learned counsel for the petitioner that a running factory had to be shut down on account of agitation by the contract

labour is alarming. The submission that the lives of about 400 employees and the future of their children is at stake is also a matter of grave concern. The consequences of declaring the lockout in the event of the respondents failing to contain the agitating mob and enabling the free ingress and egress into the factory premises are unimaginable.

10. Maintenance of law and order is the responsibility of the State. A manufacturing unit established in a remote area of the State, which has generated direct and indirect employment to several people, cannot be left in the lurch and bleed. It is also not in dispute that the petitioner has been paying taxes to the State and paying GST. Abrupt closure of the unit would result in a loss to the exchequer on account of non-payment of taxes.
11. The issue of demands raised by the agitating contract labour would have to be raised before the Labour Court, which has jurisdiction over the petitioner factory. The contract labour can approach the Labour Court and raise all their demands. The labour court would be the appropriate forum for redressing the grievances of the labour in a legal manner. The police, instead of taking appropriate action, have simply washed off their hands by suggesting that the petitioner to negotiate with the agitating workmen and meet their demands.
12. Though the police have deployed force on the request of the petitioner and additional force was deployed after the petitioner approached the District Collector, there seems to be no respite for the petitioner from the

onslaught of the agitators. The aspect of whether the workmen are instigated by the local politician or not cannot be gone into in this writ petition, as there is no material placed by the petitioner to substantiate the same.

13. Be that as it may, it goes without saying that the agitating workmen are definitely instigated by some force behind them, which has resulted in the closure of a running unit.
14. In **Emirates Cements India (Private) Limited v. Sub Inspector of Police**¹ The Hon'ble Supreme Court has directed the 1st respondent therein to ensure that there shall be no obstruction in the work being carried on in the factory/unit of the petitioner and also to extend adequate and effective police protection to the petitioner company.
15. In **The Management of SNY Auto tech Pvt. Ltd., rep. by its Director v. Inspector of Police and another**². The Madras High Court, while dealing with a similar issue, directed the police authorities to extend police protection.
16. As seen from the submission of the learned counsel for the petitioner and the learned Government Pleader, it is amply clear that a normal atmosphere is not prevailing near the petitioner's factory and an uneasy tension is in the air. This Court deems it appropriate to direct the respondents 2 to 4 to take all necessary and required steps to maintain law and order and to ensure free ingress and egress of men and

¹ 2014 SCC On Line Ker 22653

² 2018 SCC On Line Mad 3390

material. Adequate and effective police protection is to be extended to the petitioner company to restart its activities. Hence, this Court deems it appropriate to dispose of the writ petition with the following directions:

- a) The respondents 2 to 4 shall provide effective police protection to the factory premises of the petitioner company to ensure that there is no hindrance/obstruction for free ingress and egress of the men and materials for restarting its operation.
- b) The 3rd respondent shall ensure that no law and order problem is created near the factory premises and normalcy is maintained and shall review the situation periodically until normalcy is restored.
- c) It is left open for the agitating contract labour to approach the competent tribunal/ court for redressing their grievances.

17. With the above directions, the writ petition is disposed of. No costs.

18. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

JUSTICE HARINATH.N

Dt.19.06.2025
BV