

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRA

THURSDAY, THE 16TH DAY OF JULY 2015/25TH ASHADHA, 1937

OP.No. 10029 of 2003 (R)

PETITIONER(S):

**THE MANAGER, CHEMONI ESTATE,
PALAPPILLY P.O., THRISSUR**

**BY ADVS.SRI.E.K.NANDAKUMAR
SMT.PRIYA MAHESH
SMT.PRIYA MANJOORAN**

RESPONDENT(S):

- 1. P.K.KUTTU, POTTENGAL VEEDU,
PALAPPILLY PO, TRICHUR**
- 2. INDUSTRIAL TRIBUNAL, PALAKKAD**

R2 BY ADV. SOJAN JAMES, SENIOR GOVERNMENT PLEADER

**THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 16-07-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

O.P.NO.10029/2003

APPENDIX

PETITIONER'S EXHIBITS:

- P1 : COPY OF THE REFERENCE ORDER ISSUED BY GOVERNMENT OF KERALA IN G.O.(RT) NO.2749/00LBR DATED 28.07.2000
- P2 : COPY OF THE COUNTER STATEMENT FILED BY THE PETITIONER BEFORE THE 2ND RESPONDENT
- P3 : COPY OF THE AWARD PASSED BY THE 2ND RESPONDENT IN GAZETTE NO.50 DATED 17.12.2002

RESPONDENTS' EXHIBITS: N I L

//TRUE COPY//

P.A.TO JUDGE

JV

ANIL K. NARENDRAN, J.

O.P. No.10029 of 2003

Dated this the 16th day of July, 2015

JUDGMENT

The petitioner, who is the Manager of Chemoni Estate has filed this original petition seeking a writ of certiorari to quash Ext.P3 award passed by the Industrial Tribunal, Palakkad in so far as the petitioner is directed to reinstate the 1st respondent workman into service with continuity of service.

2. On 24.06.2015, when this original petition was taken up for final hearing, the learned counsel for the petitioner submitted that during the pendency of this original petition, the 1st respondent retired from service on his request and all terminal benefits payable have already been disbursed to him. Then, the learned counsel for the 1st respondent sought time to get instructions and the matter was adjourned to 02.07.2015.

3. Today, when the case was taken up for final hearing, the learned counsel for the 1st respondent would submit that, the 1st respondent has already retired from service on his request after receiving all terminal benefits payable by the Management and

that he has no subsisting claim against the management.

In such circumstances, this original petition is disposed of, recording the aforesaid submission made by the learned counsel for the 1st respondent and that the 1st respondent is not having any subsisting claim for reinstatement in terms of Ext.P3 award.

SD/-
ANIL K. NARENDRAN,
JUDGE

JV