

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&**

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

FRIDAY, THE 18TH DAY OF SEPTEMBER 2015/27TH BHADRA, 1937

WA.No. 574 of 2009 (C) IN WP(C).11132/2009

**AGAINST THE JUDGMENT IN WP(C) 11132/2009 of HIGH COURT OF KERALA
DATED 03-03-2009**

APPELLANTS/PETITIONERS:

- 1. BINOY, MANAGEMENT ASSISTANT,
VEGETABLE AND FRUIT PROMOTION COUNCIL KERALAM
MYTHRI BHAVAN, NEAR DOORDARSHAN KENDRA, KAKKANAD
KOCHI-37.**
- 2. SUPRABHA C.,
MANAGEMENT ASSISTANT, VEGETABLE AND FRUIT
PROMOTION COUNCIL KERALAM, PROJECT AREA
MALAPPURAM TRAINING CENTRE, PADMASREE BUILDING
NEAR TOWN HALL, MANJERI, MALAPPURAM.**
- 3. SUNIMOL J., MANAGEMENT ASSISTANT,
VEGETABLE AND FRUIT PROMOTION COUNCIL, PROJECT AREA
THRISSUR, TRAINING CENTRE, KODALI AREADE
PUTHUKKAD, THRISSUR.**
- 4. BABURAJ T.S., SERVICE ASSISTANT,
VEGETABLE AND FRUIT PROMOTION COUNCIL KERALAM
MYTHRI BHAVAN, NEAR DOORDARSHAN KENDRA, KAKKANAD
KOCHI-37.**
- 5. SUDHIRAJ A.R., SERVICE ASSISTANT,
VEGETABLE AND FRUIT PROMOTION COUNCIL, PROJECT AREA
THRISSUR, TRAINING CENTRE, KODALI AREADE
PUTHUKKAD, THRISSUR.**
- 6. P.S.KRISHNANUNNI, OFFICE ASSISTANT,
VEGETABLE AND FRUIT PROMOTION COUNCIL KERALAM
MYTHRI BHAVAN, NEAR DOORDARSHAN KENDRA, KAKKANAD
KOCHI-37.**
- 7. SIMI M.S., MANAGEMENT ASSISTANT,
VEGETABLE AND FRUIT PROMOTION COUNCIL KERALAM
RESIDING AT MANNATH HOUSE, THALIKULAM P.O., THRISSUR.**

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8. SHEEJA V., MANAGEMENT ASSISTANT,
VEGETABLE AND FRUIT PROMOTION CONCIL KERALAM
RESIDING AT KONATHU VEEDU, CHITTACODE, MARANADU P.O.
KOLLAM.

BY ADVS.SRI.K.RAMAKUMAR (SR.)
SRI.T.RAMPRASAD UNNI
SMT.SMITHA GEORGE

RESPONDENTS/RESPONDENTS:

1. THE VEGETABLE & FRUIT PROMOTION COUNCIL
KERALAM, REP. BY ITS CHIEF EXECUTIVE OFFICER
MYTHRI BHAVAN, NEAR DOORDARSHAN KENDRA, KAKKANAD
KOCHI-37.

2. STATE OF KERALA,
REP. BY THE SECRETARY TO GOVERNMENT
DEPARTMENT OF AGRICULTURE, GOVERNMENT OF KERALA
THIRUVANANTHAPURAM.

3. MR.CYRIL KURIYACOS, FARMER DIRECTOR,
VEGETABLE AND FRUIT PROMOTION COUNCIL KERALAM
RESIDING AT POTHARAYIL, PERUMADAVOM P.O., ELANJI.

R1 BY ADV. SRI.N.SUGATHAN

R1 BY ADV. SRI.V.M.KURIAN,SC,VEGETABLE & FRUIT PRO

R1 BY ADV. SRI.S.M.PRASANTH, SC, VEGETABLES & FRUITS
PROMOTION COUNCIL

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 18-09-2015, ALONG
WITH WA. 580/2009, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

JJJ

ASHOK BHUSHAN, C.J.
&
K. VINOD CHANDRAN, J.

W.A. Nos. 574 & 580 of 2009

Dated this the 18th day of September, 2015

J U D G M E N T

Ashok Bhushan C.J.

Heard the learned counsel appearing for the appellants, the learned Standing Counsel appearing for the respondent as also the learned Government Pleader.

2. Both these Writ Appeals have been filed against a common judgment dated 3rd March, 2009. The writ petitions have been filed by the writ petitioners challenging an order by which the writ petitioners were dismissed. The petitioners in the writ petitions have challenged their termination as daily-wage-employees. The petitioners had claimed in their writ petitions that their regularisation has already been ordered by a resolution taken by the Board.

3. The learned counsel appearing for the respondent Council in W.A. No.574/2009 has submitted that, the 1st, 6th

and 7th appellants have already been regularised and the 2nd, 3rd and 8th appellants did not appear when they were offered daily-wage-employment and the 4th appellant had resigned.

4. With regard to W.A. No.580/2009 all appellants were appointed except one Jasmin S., the 9th appellant. She was not appointed for the reason that she did not offer herself for appointment as daily wager, when called. It is submitted that in view of the subsequent events, nothing survives in the writ appeals to be decided on merits.

Recording the aforesaid submission of the learned counsel for the respondent, we close these writ appeals.

Sd/-
ASHOK BHUSHAN,
CHIEF JUSTICE.

Sd/-
K.VINOD CHANDRAN,
JUDGE