

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE MR.JUSTICE THOTTATHIL B.RADHAKRISHNAN
&
THE HONOURABLE MRS. JUSTICE ANU SIVARAMAN**

TUESDAY, THE 29TH DAY OF SEPTEMBER 2015/7TH ASWINA, 1937

WA.No. 2045 of 2015 () IN WP(C).29501/2006

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AGAINST THE ORDER/JUDGMENT IN WP(C) 29501/2006 of HIGH COURT OF KERALA
DATED 08-04-2015**

APPELLANT(S)/2ND RESPONDENT:

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HINDUSTAN NEWSPRINT LIMITED,
NEWSPRINT NAGAR-686 616, KOTTAYAM DISTRICT,
REPRESENTED BY ITS MANAGING DIRECTOR.**

**BY ADVS.SRI.M.GOPIKRISHNAN NAMBIAR
SRI.P.GOPINATH
SRI.P.BENNY THOMAS
SRI.K.JOHN MATHAI**

RESPONDENT(S)/PETITIONERS 1 TO 33 & RESPONDENTS 1 & 3:

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- 1. T.K. MADHUSUDHANAN NAIR,
BADGE NO.94, EXECUTIVE PS.,
HINDUSTAN NEWSPRINT LTD. (HNL), NEWSPRINT NAGAR P.O.,
KOTTAYAM DISTRICT, PIN-686 616.
RESIDING AT THEKKUMTHARAMYALIL HOUSE, VELLOOR,
MAVELLOOR P.O., KOTTAYAM DISTRICT, PIN-686 616.**
 - 2. C.RAMAKRISHNAN,
B.NO.1030, EXECUTIVE PS., HNL.,
NEWSPRINT NAGAR P.O., KOTTAYAM DISTRICT., PIN-686 616,
RESIDING AT QR.NO.B22/85, HNL TOWNSHIP, HNL
NEWSPRINT NAGAR P.O., KOTTAYAM DISTRICT., PIN-686 616.**
 - 3. M.K.ADVAITHASANKARAN,
B.NO.963, EXECUTIVE (FINANCE) HNL,
NEWSPRINT NAGAR P.O., KOTTAYAM DISTRICT., PIN-686 616,
RESIDING AT QR NO.30/119, HNL TOWNSHIP, HNL,
NEWSPRINT NAGAR P.O., KOTTAYAM DISTRICT., PIN-686 616.**
 - 4. R.RAJENDRAN,
B.NO.1008, AST.SAFETY OFFICER (EXECUTIVE), HNL,
NEWSPRINT NAGAR P.O., KOTTAYAM DISTRICT., PIN-686 616,
RESIDING AT HOUSE NO.IV.11A, "SREEVALSAM",
CANAL BUND ROAD, THIROOR, KOLAZHY P.O.,
THRISSUR.**
 - 5. A.RADHAKRISHNAN,
B.NO.1751, PRIVATE SECRETARY, HNL,
NEWSPRINT NAGAR P.O., KOTTAYAM DISTRICT., PIN-686 616,
RESIDING AT ALLATH HOUSE, ANTHIKAD P.O.,
TRICHUR DISTRICT.**

6. L.LALITHAMBAL,
B.NO.1751, PRIVATE SECRETARY, HNL,
NEWSPRINT NAGAR P.O., KOTTAYAM DISTRICT., PIN-686 616,
RESIDING AT KAINOOR MADOM, MEVELLOOR P.O.,
KOTTAYAM DISTRICT.
7. T.A.VASANTHY,
B.NO.1706, PRIVATE SECRETARY, HNL,
NEWSPRINT NAGAR P.O., KOTTAYAM DISTRICT., PIN-686 616,
RESIDING AT PANANCHERY HOUSE, VADUKUNNAPUZHA,
PERUVA P.O., KOTTAYAM DISTRICT.
8. B.GOVINDAN NAIR,
B.NO.1626, PRIVATE SECRETARY, HNL,
NEWSPRINT NAGAR P.O., KOTTAYAM DISTRICT., PIN-686 616,
RESIDING AT 'NIYOGAM', ULLALA, THALAYAZHAM P.O.,
VAIKOM, KOTTAYAM DISTRICT., PIN-686 607.
9. K.V.VIJAYAKUMAR,
B.NO. EXECUTIVE (COMMERCIAL), HNL,
NEWSPRINT NAGAR P.O., KOTTAYAM DISTRICT., PIN-686 616,
RESIDING AT 'ASWATHY', MULAKULAM SOUTH, PERUVA,
KOTTAYAM DISTRICT.
10. M.CHANDRAN,
B.NO.1031, PRIVATE SECRETARY, HNL,
NEWSPRINT NAGAR P.O., KOTTAYAM DISTRICT., PIN-686 616,
RESIDING AT MANAKKADAVATH HOUSE, KOLOLAMB P.O.,
PONNANI TALUK, MALAPPURAM DISTRICT.
11. K.G.MOHANAN,
B.NO.1099, EXECUTIVE (COMMERCIAL) HNL,
NEWSPRINT NAGAR P.O., KOTTAYAM DISTRICT., PIN-686 616,
RESIDING AT QR.NO.B33/129, HNL TOWNSHIP, HNL,
NEWSPRINT NAGAR P.O., KOTTAYAM DISTRICT., PIN-686 616.
12. N.ANANDAN,
B.NO.1680, EXECUTIVE (FINANCIAL), HNL,
NEWSPRINT NAGAR P.O., KOTTAYAM DISTRICT., PIN-686 616,
RESIDING AT QR.NO.B21/82, HNL TOWNSHIP, HNL,
NEWSPRINT NAGAR P.O., KOTTAYAM DISTRICT., PIN-686 616.
13. V.VENUGOPALAKRISHNAN,
B.NO.38, EXECUTIVE (LOGYARD), HNL,
NEWSPRINT NAGAR P.O., KOTTAYAM DISTRICT., PIN-686 616,
RESIDING AT VALIYATHODI (H), EZHUVANTHALA P.O.,
NELLAYA, PALAKKAD DISTRICT.
14. P.GEORGE VASHINGTON,
B.NO.873, SENIOR SUPERVISOR (HOSP.LAB), HNL,
NEWSPRINT NAGAR P.O., KOTTAYAM DIST., PIN-686 616,
RESIDING AT QR.NO.B2/7, HNL TOWNSHIP,
NEWSPRINT NAGAR P.O., KOTTAYAM DISTRICT., PIN-686 616.
15. T.A.ALEYAMA,
B.NO.788, SENIOR SUPERVISOR (NURSING), HNL,
NEWSPRINT NAGAR P.O., KOTTAYAM DISTRICT., PIN-686 616,
RESIDING AT KUNNAPPALLIL HOUSE, MULAKKULAM NORTH,
ILLICKAMUKKADA, PIRAVOM P.O., ERNAKULAM DISTRICT.

16. PHILOMINA JOSEPH,
B.NO.845, SENIOR SUPERVISOR (PHARMA), HNL,
NEWSPRINT NAGAR P.O., KOTTAYAM DISTRICT., PIN-686 616,
RESIDING AT NIRAVATH HOUSE, MANJOOR P.O.,
KURUPPANTHARA, KOTTAYAM DISTRICT.
17. T.PMOHANAN,
B.NO.1472, PRIVATE SECRETARY, HNL,
NEWSPRINT NAGAR P.O., KOTTAYAM DISTRICT., PIN-686 616,
RESIDING AT "THOPPIL", 29/1036-C(I), MAJOR ROAD,
VYTILA, ERNAKULAM DISTRICT.
18. C.V.SUDHAKAR,
B.NO.1865, EXECUTIVE (FINANCE), HNL,
NEWSPRINT NAGAR P.O., KOTTAYAM DISTRICT., PIN-686 616,
RESIDING AT QR.NO.B29/114, HNL TOWNSHIP,
NEWSPRINT NAGAR P.O., KOTTAYAM DISTRICT, PIN-686 616.
19. K.A.PAREETH,
B.NO.879, EXECUTIVE (COMML.), HNL,
NEWSPRINT NAGAR P.O., KOTTAYAM DISTRICT., PIN-686 616,
RESIDING AT KADAVIMADATHIL, HNL TOWNSHIP,
KULASEKHARAMANGALAM, VAIKOM TALUK, KOTTAYAM DISTRICT,
PIN-686 616.
20. N.ANILKUMAR,
B.NO.2260, ASSISTANT ENGINEER (MECH.WORKSHOP), HNL,
NEWSPRINT NAGAR P.O., KOTTAYAM DISTRICT., PIN-686 616.
21. A.M.MATHEW,
B.NO.1048, EXECUTIVE (COMML.), HNL,
NEWSPRINT NAGAR P.O., KOTTAYAM DISTRICT., PIN-686 616,
RESIDING AT QR, NO.B36/142, HNL TOWNSHIP,
NEWSPRINT NAGAR P.O., KOTTAYAM DISTRICT.
22. P.M.BABY,
B.NO.1066, ASSISTANT MANAGER (COMML.), HNL,
NEWSPRINT NAGAR P.O., KOTTAYAM DISTRICT., PIN-686 616,
RESIDING AT PLACHERIL, THALAYOLAPARAMBU P.O.,
KOTTAYAM DISTRICT.
23. V.N.LAKSHMANAN NAIR,
B.NO.95, EXECUTIVE (COMML.), HNL,
NEWSPRINT NAGAR P.O., KOTTAYAM DISTRICT., PIN-686 616,
RESIDING AT SABARI, VELLOOR, MEVELLOOR P.O.,
KOTTAYAM DISTRICT.
24. V.K.ANOD,
B.NO.2259, ASSISTANT ENGINEER(MECH.WORKSHOP), HNL,
NEWSPRINT NAGAR P.O., KOTTAYAM DISTRICT., PIN-686 616,
RESIDING AT AYODHYA, KALOOR-EDAPPALLY ROAD,
PALARIVATTOM, ERNAKULAM DISTRICT.
25. G.MOHANAKRISHNAN,
B.NO.848, ASST.MANAGER (COMML.), HNL,
NEWSPRINT NAGAR P.O., KOTTAYAM DISTRICT., PIN-686 616,
RESIDING AT QR.NO.B25/97, HNL TOWNSHIP,
NEWSPRINT NAGAR P.O., KOTTAYAM DISTRICT.

26. K.K.SUDHAKARAN,
B.NO.412, SENIOR SUPERVISOR, HNL,
NEWSPRINT NAGAR P.O., KOTTAYAM DIST., PIN-686 616,
RESIDING AT MANJU VILLA, PERUVA P.O., VAIKOM TALUK,
KOTTAYAM DISTRICT.
27. XAVIER K.JOSEPH,
B.NO.291, EXECUTIVE (LOGYARD), HNL,
NEWSPRINT NAGAR P.O., KOTTAYAM DISTRICT., PIN-686 616,
RESIDING AT KOODALIL HOUSE, THALAYOLAPARAMBU P.O.,
KOTTAYAM DISTRICT.
28. LUCIAMMA JOSEPH,
B.NO.1455, SENIOR SUPERVISOR, HNL,
NEWSPRINT NAGAR P.O., KOTTAYAM DISTRICT., PIIN-686 616,
RESIDING AT MANALEL HOUSE, PERUVA P.O.,
KOTTAYAM DISTRICT.
29. GEORGE JOSEPH,
B.NO.231, EXECUTIVE (COMML.) (RETD), HNL,
NEWSPRINT NAGAR P.O., KOTTAYAM DIST., PIN-686 616,
RESIDING AT MURAMTHOOKIL CHITILAKATTU,
MULAKULAM SOUTH P.O., KOTTAYAM DISTRICT.
30. M.P.JOSE,
B.NO.1783, EXECUTIVE (FORESTRY), HNL,
NEWSPRINT NAGAR P.O., KOTTAYAM DISTRICT., PIN-686 616,
RESIDING AT MANJALY HOUSE, KOZHUR P.O., MALA,
TRICHUR DISTRICT.
31. S.KRISHNAN,
B.NO.494, EXECUTIVE (COMML.), HNL,
NEWSPRINT NAGAR P.O., KOTTAYAM DISTRICT., PIN-686 616,
RESIDING AT SOUTH COLONY STREET, URKAD P.O.,
AMBASAMUDRAM TALUK, THIRUNELVELI DISTRICT,
TAMIL NADU.
32. T.G.VIJAYAKUMAR,
B.NO.840, SENIOR SUPERVISOR, HNL,
NEWSPRINT NAGAR P.O., KOTTAYAM DISTRICT., PIN-686 616,
RESIDING AT THEJUS, THALAYOLAPARAMBU P.O.,
KOTTAYAM DISTRICT.
33. H.PARAMESWARAN,
B.NO.864, EXECUTIVE (LOGYARD) (RETD), HNL,
NEWSPRINT NAGAR P.O., KOTTAYAM DISTRICT., PIN-686 616,
RESIDING AT HARI NIVAS, EXT.DOOR NO.XX/184,
TRIPUNITHURA P.O., ERNAKULAM DISTRICT.

R BY SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL OF INDIA
R BY SRI.MILLU DANDAPANI

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 29-09-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**THOTTATHIL B.RADHAKRISHNAN &
ANU SIVARAMAN, JJ.**

W.A.No.2045 of 2015
&
C.M.Appl.No.1065 of 2015

Dated this the 29th day of September, 2015

J U D G M E N T

Thottathil B.Radhakrishnan, J.

- 1.This writ appeal comes up with an application seeking condonation of delay. We have heard the learned senior counsel for the appellant and learned counsel for the respondents.

- 2.The issue raised in this writ appeal relates to the alleged anomaly in fixation of pay of the persons belonging to the supervisory cadre in the service of the appellant. The Gauhati High Court had decided the same issue as per judgment dated 21.02.2013, rendered by the Division Bench of that Court in W.A.No.151/2009. That judgment was challenged before the Hon'ble Supreme Court of India and the Special Leave Petition was dismissed on 30.08.2013. It is also noted by the learned

single Judge that after the dismissal of that SLP, the anomaly was rectified and benefits were extended to the supervisory cadre as well. Under such circumstances, we see no ground to interfere with the impugned judgment through this writ appeal. Therefore, we also do not deem it necessary to condone delay in instituting this appeal.

In the result, the C.M. Application and the writ appeal are dismissed in limine.

Sd/-
(THOTTATHIL B.RADHAKRISHNAN, JUDGE)

Sd/-
(ANU SIVARAMAN, JUDGE)

//TRUE COPY//

P.A TO JUDGE

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