

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

WEDNESDAY, THE 11TH DAY OF MARCH 2015/20TH PHALGUNA, 1936

WP(C).No. 9927 of 2005 (F)

PETITIONER(S):

A. SASI,
KATTARA HOUSE,
THRISSUR P.O., THRISSUR.

BY ADV. SRI.P.RAMAKRISHNAN

RESPONDENT(S):

1. THE KERALA HEADLOAD WORKERS WELFARE,
BOARD, ERNAKULAM,
REP. BY ITS EXECUTIVE OFFICER.
2. KERALA HEADLOAD WORKERS WELFARE BOARD,
THRISSUR LOCAL COMMITTEE, THRISSUR,
REP. BY THE CHAIRMAN

BY ADV. SRI.A.V.RAMAKRISHNA PANICKER, SC, KHLWWB,
BY ADV. SRI.BABU KARUKAPPADATH, SC, KHLWWB,
BY ADV. SRI.KOSHY GEORGE, SC, KHLWWB &
BY ADV. SRI.JOY GEORGE, SC, KHWB.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 11-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

rvs.

APPENDIX

PETITIONER(S) ' EXHIBITS :

EXT. P1: COPY OF THE IDENTITY CARD ISSUED BY THE ASSISTANT LABOUR
OFFICER, THRISSUR TO THE PETITIONER.

EXT. P2: COPY OF REPRESENTATION DATED 18/10/2004 SUBMITTED BY THE
PETITIONER BEFORE THE 2ND RESPONDENT.

EXT. P3: COPY OF ORDER E3-1340 A/2004 DATED 22/01/2005 ISSUED BY
THE 2ND RESPONDENT.

RESPONDENT(S) ' EXHIBITS :

NIL.

/TRUE COPY/

P.A.TO JUDGE

RVS.

K.VINOD CHANDRAN, J

W.P.(C).No. 9927 of 2005

Dated 11th March, 2015

JUDGMENT

The petitioner is a person who has obtained registration under Rule 26A of the Kerala Head load Workers Rules, 1981 (for short 'the Rules') and he claims to have been working in the area in which he sought for an identity card under paragraph 6A invoking the provisions under paragraph 6B of the Kerala Head Load Workers (Regulation of Employment and Welfare) Scheme, 1983.

2. Paragraph 6B contemplates a procedure for replenishment of workers in the Prol, to any vacancy occurring on retirement, death, disability, resignation and so on and so forth. The petitioner made an application produced herein as Ext.P2 and the same was directed to be considered in W.P.(C). 31860/2004 by judgment dated 1.11.2004. The consideration made as per Ext.P3 is impugned herein.

3. A reading of Exts.P2 and P3 would indicate that Ext.P3 did not consider the issue at all. The statement in Ext.P3 to the effect that the petitioner sought for employment in the vacancy of his brother-in-law is not seen ventilated in Ext.P2.

4. Be that as it may, the petitioner only seeks registration to any vacancy occurring under paragraph 6B of the Scheme. It is only proper that, if the petitioner is still interested in the same, he be permitted to approach the appropriate authority with a request. Ext.P3 would stand set aside. If a request is made, the same shall be considered in accordance with law.

The writ petition is disposed of. Parties are left to suffer their respective costs.

Sd/-

K.VINOD CHANDRAN
Judge

MrCs

//True Copy//