

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

WEDNESDAY, THE 8TH DAY OF JULY 2015/17TH ASHADHA, 1937

WP(C).No. 11996 of 2011 (Y)

PETITIONER(S) :

**ANIL KUMAR, AGED 42 YEARS,
S/O. THANKAPPAN PILLAI, THIRUVONAM, PULIMATH.P.O.,
PULIMATH, KARETTE, THIRUVANANTHAPURAM.**

**BY ADVS.SRI.R.T.PRADEEP
SRI.V.VIJULAL**

RESPONDENT(S) :

- 1. DEPUTY LABOUR COMMISSIONER AND SECRETARY/
APPELLATE AUTHORITY UNDER THE KERALA
SHOPS AND COMMERCIAL ESTABLISHMENTS ACT, 1960
STATE ADVISORY CONTRACT LABOUR BOARD,
THIRUVANANTHAPURAM – 695 001.**
- 2. DISTRICT LABOUR OFFICER,
OFFICE OF THE DISTRICT LABOUR OFFICER,
THIRUVANANTHAPURAM – 695 001.**
- 3. ASSISTANT LABOUR OFFICER, ATTINGAL – 696 101.**
- 4. DEPUTY THAHSILDAR,
REVENUE RECOVERY, TALUK OFFICE,
CHIRAYANKEEZHU – 695 304.**
- 5. PRABHAKARAN,
KONATHUVILA VEEDU, PULIMATH, KILIMANOOR – 695 601.**

R5 BY ADV. SRI.GOPAKUMAR R.THALIYAL

R5 BY ADV. SRI.P.R.PRATEESH

R1-R4 BY ADV. ANITHA RAVEENDRAN, GOVERNMENT PLEADER

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
08-07-2015, ALONG WITH WPC. 12225/2011, THE COURT ON THE
SAME DAY DELIVERED THE FOLLOWING:**

AMV

: 2 :

WP(C).No. 11996 of 2011 (Y)

APPENDIX

PETITIONER(S) EXHIBITS :

- EXT.P1. : COPY OF THE DEATH CERTIFICATE OF FATHER OF PETITIONER DATED 12.01.2004.**
- EXT.P2. : COPY OF THE SALE DEED NO.3167/04 DATED 30.10.2004.**
- EXT.P3. : COPY OF THE NOTICE DATED 22.11.2006 BY DISTRICT LABOUR OFFICER.**
- EXT.P4. : COPY OF THE APPEAL DATED 09.02.2007 IN S.A.NO.3/07 BEFORE 1ST RESPONDENT.**
- EXT.P5. : COPY OF THE ORDER DATED 06.12.2009 IN S.A.NO.3/07.**
- EXT.P6. : COPY OF THE GIST OF ORDER.**
- EXT.P7. : COPY OF THE SHOW CAUSE NOTICE DATED 14.06.2010.**
- EXT.P8. : COPY OF THE WRITTEN STATEMENT DATED 19.06.2010.**
- EXT.P9. : COPY OF THE COMMUNICATION DATED 31.08.2010 SENT BY 1ST RESPONDENT.**
- EXT.P10. : COPY OF THE NOTICE UNDER SECTION 7 OF THE KERALA REVENUE RECOVERY ACT.**
- EXT.P11. : COPY OF THE NOTICE UNDER SECTION 34 OF THE KERALA REVENUE RECOVERY ACT.**

RESPONDENTS EXHIBITS : NIL

/TRUE COPY/

P.A.TO JUDGE

AMV

A.V.RAMAKRISHNA PILLAI, J.

.....
W.P.(C) Nos.11996 & 12225 of 2011
.....

Dated this the 8th day of July, 2015

JUDGMENT

Heard both sides.

It is submitted that the matter has been settled between the parties through mediation. Mediation settlement memo is recorded. As per the settlement memo, parties have come to the settlement on the following terms and conditions :

- 1. Petitioner Anil Kumar in W.P.Cs.12225/2011 & 11996/2011 agree to pay Rs.2,00,000/- (Rupees Two Lakhs only) each to the 5th respondent S.Sivan Pillai in WPC.12225/2011 & the 5th respondent Prabhakaran in WPC.11996/2011 within a period of 6 months from today as full and final settlement of the order and other proceedings impugned.*
- 2. In default of payment as stated above the respondents 5 in both aforementioned petition are entitled to execute the order and other proceedings impugned.*
- 3. The revenue recovery proceedings initiated against the petitioner will stand withdrawn on*

payment of the afore said amount by the petitioner.

2.It is hereby made clear that if the petitioner do not comply with the directions, it shall be open for the 5th respondent to enforce the order passed by the appellate authority.

These writ petitions are closed in the aforesaid direction.

sd/-

A.V.RAMAKRISHNA PILLAI, JUDGE

AMV/08/07/