

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

FRIDAY, THE 6TH DAY OF FEBRUARY 2015/17TH MAGHA, 1936

W.P.(C).No.15951 of 2010 (T)

PETITIONER(S):

RAMACHANDRAN.V.S, AGED 61, S/O.SHANKARAN,
VADAKKE KONNAM VEETIL
MANIMALA CROSS ROAD, CHUTTUPADUKARA, EDAPALLY,
ERNAKULAM DISTRICT.

BY ADVS.SRI.GOPAKUMAR G. (ALUVA)
SRI.ANUPAMA JOHNY.

RESPONDENT(S):-

1. STATE OF KERALA,
REPRESENTED BY SECRETARY (LABOUR REHABILITATION),
GOVERNMENT OF KERALA, SECRETARIAT, THIRUVANANTHAPURAM.
2. REGIONAL TRANSPORT OFFICER,
CIVIL STATION, KAKKANAD, ERNAKULAM.
3. KERALA MOTOR TRANSPORT WORKERS WELFARE FUND BOARD,
PALARIVATTOM, KOCHI-682005.
REPRESENTED BY ITS DISTRICT OFFICER.

R1 & R2 BY GOVERNMENT PLEADER SRI.V.K.RAFEEQ.
R3 BY STANDING COUNSEL SRI.P.RAMAKRISHNAN.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
06-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C).NO.15951 OF 2010-T

APPENDIX

PETITIONER'S EXHIBITS:-

EXT.P1 TRUE COPY OF THE PERMIT OF KL-4/293 TAXI CAR.

EXT.P2 TRUE COPY OF THE DRIVING LICENSE OF THE PETITIONER.

EXT.P3 TRUE COPY OF RECEIPTS.

RESPONDENT'S EXHIBITS:-

NIL.

VKU/-

(TRUE COPY)

K. Vinod Chandran, J.

W.P(C) No.15951 of 2010-T

Dated this the 06th day of February, 2015

JUDGMENT

The petitioner is the owner-cum-driver of a taxi car, bearing registration No.KL-04/293. Admittedly he is a self-employed person, who was aged 61 even at the time of filing of the writ petition. The petitioner is not liable to be covered under the Kerala Motor Transport Workers' Welfare Fund Act, 1985 and the Scheme framed thereunder, as per the decision in ***T.A.Aleemul Islam Trust v. State of Kerala* [2009 (4) KLT 225]**. The writ petition would stand allowed following the above binding precedent and it is ordered that no proceedings can be taken against the petitioner under the Act and the Scheme.

Sd/-
K.Vinod Chandran
Judge.

vku/-

(true copy)