

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

THURSDAY, THE 12TH DAY OF MARCH 2015/21ST PHALGUNA, 1936

W.P.(C).No.17788 of 2009 (P)

PETITIONER(S):-

KERALA HEAD LOAD WORKERS WELFARE BOARD,
MANJERY LOCAL COMMITTEE, REPRESENTED BY ITS CHAIRMAN.

BY ADV. SRI.S. AJITH PRAKASH
SRI.KOSHY GEORGE.

RESPONDENT(S):-

1. THE DISTRICT LABOUR OFFICER, MALAPPURAM.
2. THE ASSISTANT LABOUR OFFICER, PERINTALMANNA, MALAPPURAM.
3. V.SAKKARIYA, S/O. MOHAMMED
VALLURAN HOUSE, AMMANIKKAD, MALAPPURAM.
4. K.KOYA, SECRETARY, HEAD LOAD WORKERS UNION(CITU),
KARINKALLATHANI, MALAPPURAM.
5. C.VEERAN, SECRETARY, HEAD LOAD WORKERS UNION (STU),
KARINKALLATHANI, MALAPPURAM.
6. K.ABDUL GAFOOR, S/O.KALAKKANDAN MOHAMMED,
P.O.THAZHEKODE, MALAPPURAM.
7. MAJEED.K.K. S/O. KUNJI MOHAMMED.K.K.,
KALLIKKADAN HOUSE, P.O.AMMINIKKAD.
8. UNUS SALIM S/O. VALIAMOHAMMED,
KARALY, THAZHEKODE.P.O. MALAPPURAM.
9. ABDUL MANAF, S/O. KHALID,
PALLIATHODY, PERINTHALMANNA, MALAPPURAM.

R1 & R2 BY GOVERNMENT PLEADER SRI.MANOJ P.KUNJACHAN.
R3 BY ADV. SRI.BABU S. NAIR
R5 BY ADVS. SRI.N.RAGHURAJ
SMT.KAMMINIKUTTY

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
12-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS:-

- EXT.P1:- TRUE COPY OF THE ORDER OF THE 2ND RESPONDENT
DATED 30.03.2009.
- EXT.P2:- TRUE COPY OF THE APPEAL PREFERRED BEFORE THE
1ST RESPONDENT DATED 8.4.2009.
- EXT.P3:- TRUE COPY OF THE ORDER ISSUED BY THE 1ST RESPONDENT
DATED 30.05.2009.

RESPONDENT(S)' EXHIBITS:-

- EXT.R3(a) TRUE COPY OF THE JUDGMENT DATED 8.5.2009
IN W.P.(C).NO.12378 OF 2009 OF THIS COURT.
- EXT.R3(b) TRUE COPY OF THE F.I.R. IN CRIME NO.111/2009 OF THE
NATTUKAL POLICE STATION DATED 19.6.2009.
- EXT.R3(c) TRUE COPY OF THE LETTER GIVEN TO THE 3RD RESPONDENT
BY THE PETITIONER DATED 2.7.2009.

Vku/

[true copy]

K. Vinod Chandran, J.

W.P(C) No.17788 of 2009-P

Dated this the 12th day of March, 2015

JUDGMENT

The challenge in the above writ petition filed by the Kerala Head Load Workers Welfare Board is against Exhibit P3 order of the Appellate Authority, confirming Exhibit P1 order of the original authority. The ground raised by the Board was that the Board was not issued notice before Exhibit P1 order was passed.

2. The Appellate Authority in Exhibit P3 categorically, on examination of the records, found that notice was issued. In such circumstance of the factual finding entered into by the Appellate Authority, there would be no reason to interfere with Exhibit P3 or with Exhibit P1. Accordingly, the writ petition would stand dismissed. No costs.

Sd/-
K. Vinod Chandran,
Judge

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[true copy]