

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.18201 of 2009 (U)

PETITIONER(S):-

M/S.VARKEY'S RETAIL VENTURES (PVT) LTD.,
REGISTERED OFFICE, 32/1174 E,
CIVIL LINES ROAD, PALARIVATTOM, KOCHI-25,
REPRESENTED BY ITS DIRECTOR, MR.P.I.DENNIS.

BY ADVS.SRI.R.MURALEEDHARAN PILLAI
SRI.P.V.LONACHAN.

RESPONDENT(S):-

1. STATE OF KERALA,
REPRESENTED BY ITS CHIEF SECRETARY TO THE GOVERNMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.
2. THE SECRETARY TO THE GOVERNMENT,
LABOUR AND REHABILITATION DEPARTMENT,
GOVERNMENT OF KERALA, SECRETARIAT, THIRUVANANTHAPURAM.
3. KERALA SHOPS AND COMMERCIAL
ESTABLISHMENT WORKERS WELFARE FUND BOARD,
THIRUVANANTHAPURAM,
REPRESENTED BY ITS CHIEF EXECUTIVE OFFICER.
4. THE DISTRICT EXECUTIVE OFFICER,
KERALA SHOPS AND COMMERCIAL
ESTABLISHMENT WORKERS WELFARE FUND BOARD,
OFFICE OF THE DISTRICT EXECUTIVE OFFICER, ERNAKULAM-17.

R1 & R2 BY GOVERNMENT PLEADER SRI.V.K.RAFEEQ.

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

APPENDIX

PETITIONER'S EXHIBITS:-

- EXT.P1 TRUE PHOTOSTAT COPY OF THE COMMUNICATION DATED
28.05.2009 WITH RESPECT TO THE OUTLET FUNCTIONING AT
PERUMBAVOOR.
- EXT.P2 TRUE PHOTOSTAT COPY OF THE COMMUNICATION DATED
28.5.2009 WITH RESPECT TO THE OUTLET FUNCTIONING AT
KOLENCHERRY.
- EXT.P3 TRUE PHOTOSTAT COPY OF THE COMBINED E.S.I.CHELLAN
DATED 14.5.2009.
- EXT.P4 TRUE PHOTOSTAT COPY OF THE COMBINED E.P.F.CHELLAN
DATED 14.05.2009.
- EXT.P5 TRUE PHOTOSTAT COPY OF THE LIST OF EMPLOYEES WORKING
AT PERUMBAVOOR FOR WHOM E.S.I.CONTRIBUTION IS
REMITTED FOR APRIL, 2009.
- EXT.P6 TRUE PHOTOSTAT COPY OF THE LIST OF EMPLOYEES WORKING
AT PERUMBAVOOR FOR WHOM E.P.F. CONTRIBUTION IS
REMITTED FOR APRIL, 2009.
- EXT.P7 TRUE PHOTOSTAT COPY OF THE LIST OF EMPLOYEES WORKING
AT KOLENCHERRY FOR WHOM E.S.I. CONTRIBUTION IS
REMITTED FOR APRIL, 2009.
- EXT.P6 TRUE PHOTOSTAT COPY OF THE LIST OF EMPLOYEES WORKING
AT KOLENCHERRY FOR WHOM E.P.F.CONTRIBUTION IS
REMITTED FOR APRIL, 2009.

RESPONDENT'S EXHIBITS:-

NIL.

VKU/-

(TRUE COPY)

K.Vinod Chandran, J.

W.P.(C).No.18201 of 2009-U

Dated this the 06th day of February, 2015

JUDGMENT

The petitioner had filed the above writ petition against the coverage under the Kerala Shops and Commercial Establishments Workers Welfare Fund Act, 2006. This Court had issued an interim order, dated 07.07.2009, wherein it was directed that the petitioner shall file an affidavit before this Court, affirming the steps that have been taken to notify its workers of the option available to them to become members of the Fund. No affidavit to that end is seen filed in the above case. The learned counsel appearing for the petitioner is also not present. The writ petition would stand dismissed for default.

Sd/-
K.Vinod Chandran,
Judge

vku.

(true copy)