

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

THURSDAY, THE 22ND DAY OF JANUARY 2015/2ND MAGHA, 1936

W.P.(C).No.23520 of 2007 (Y)

AGAINST THE PRELIMINARY ORDER IN I.D.NO.61/2002
OF INDUSTRIAL TRIBUNAL, KOLLAM, DATED 27-02-2007

PETITIONER(S):-

M/S.ALLIANCE GRAINS PRODUCTS (PVT.) LTD.,
PALATHARA, THATTAMALA P.O.,
HAVING ITS AUTHORISED REGISTERED OFFICE AT KUNNAYYATHU WEST,
PUNNATHALA, KOLLAM-12,
REPRESENTED BY THE AUTHORIZED REPRESENTATIVE AND MANAGER.

BY ADV. SRI.BECHU KURIAN THOMAS.

RESPONDENT(S):-

1. STATE OF KERALA,
REPRESENTED BY SECRETARY,
DEPARTMENT OF LABOUR & REHABILITATION, TRIVANDRUM.

2. THE GENERAL SECRETARY,
ALLIANCE EMPLOYEES UNION (INTUC), KOLLAM.

R1 BY GOVERNMENT PLEADER SRI.R.RANJITH.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
22-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:-

APPENDIX

PETITIONER'S EXHIBITS:-

- | | |
|--------|--|
| EXT.P1 | TRUE COPY OF THE REFERENCE ORDER DATED 06.08.2002
ISSUED BY THE 1ST RESPONDENT. |
| EXT.P2 | TRUE COPY OF THE AWARD DATED 30.05.2005 ON THE FILES
OF THE LABOUR COURT, KOLLAM. |
| EXT.P3 | TRUE COPY OF THE WRITTEN STATEMENT DATED 06.02.2004
FILED BY THE MANAGEMENT. |
| EXT.P4 | TRUE COPY OF THE CLAIM STATEMENT FILED BY THE
2ND RESPONDENT. |
| EXT.P5 | TRUE COPY OF THE ADDITIONAL WRITTEN STATEMENT FILED
BY PETITIONER. |
| EXT.P6 | TRUE COPY OF THE PRELIMINARY ORDER DATED 17.03.2005
IN I.D.16/2000 ON THE FILES OF INDUSTRIAL TRIBUNMAL, KOLLAM. |
| EXT.P7 | TRUE COPY OF THE ENQUIRY REPORT SUBMITTED BY
SRI.G.RAJESH, ADVOCATE WITH REGARD TO ONE OF THE
DELINQUENT WORKER. |

RESPONDENT'S EXHIBITS:-

NIL.

Vku/-

(true copy)

K.Vinod Chandran, J.

W.P.(C).No.23520 of 2007-Y

Dated this the 22nd day of January, 2015

JUDGMENT

The writ petition would stand dismissed for failure of no notice having been taken against the 2nd respondent, the Union representing the workmen, by operation of the order dated 03.10.2013. However, since the order impugned is only a preliminary order, the Industrial Tribunal will have to necessarily take up the matter and dispose of the same finally, on merits.

Sd/-
K.Vinod Chandran
Judge

vkul/-

(true copy)