

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

TUESDAY, THE 9TH DAY OF JUNE 2015/19TH JYAISHTA, 1937

WP(C).No. 17171 of 2015 (V)

PETITIONER(S) :

SHAJI A. ,
SUB ENGINEER(CIVIL) , CIVIL DIVISION,
KERALA STATE ELECTRICITY BOARD, VAIDHYUTHI BHAVANAM,
PATTOM, THIRUVANANTHAPURAM-695 004.

BY ADVS.SRI.P.RAMAKRISHNAN
SMT.PREETHI KESAVAN
SRI.S.K.HARISH
SRI.T.C.KRISHNA
SRI.C.ANIL KUMAR
SMT.ASHA K.SHENOY
SRI.PRATAP ABRAHAM VARGHESE.

RESPONDENT(S) :

1. KERALA STATE ELECTRICITY BOARD LIMITED,
VAIDHYUTHI BHAVANAM, PATTOM,
THIRUVANANTHAPURAM-695 004,
REPRESENTED BY ITS CHAIRMAN & MANAGING DIRECTOR.
2. UNITED DEMOCRATIC ELECTRICITY EMPLOYEES FRONT,
V.P.MARICKAR SMARAKA MANDIRAM, AMBUJA VILASOM ROAD,
THIRUVANANTHAPURAM-695 001,
REPRESENTED BY ITS GENERAL SECRETARY.
3. THE LABOUR COMMISSIONER & REGISTRAR OF TRADE UNIONS
THOZHIL BHAVAN, VIKAS BHAVAN,
THIRUVANANTHAPURAM-695 001.

BY GOVERNMENT PLEADER SMT.K.A.SANJEETHA &
BY SRI.K.S.ANIL, SC, KSEB.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 09-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

APPENDIX

PETITIONER(S) ' EXHIBITS :

- EXT. P1- TRUE COPY OF NOTICE DATED 22.5.2003 ISSUED BY THE 1ST RESPONDENT.
- EXT. P2- TRUE COPY OF NOTICE DATED 26.2.2004 ISSUED BY THE 1ST RESPONDENT.
- EXT. P3- TRUE COPY OF NOTICE DATED 14.6.2005 ISSUED BY THE 1ST RESPONDENT.
- EXT. P4- TRUE COPY OF MINUTES OF THE MEETING HELD ON 25.2.2011.
- EXT. P5- TRUE COPY OF MINUTES OF THE MEETING HELD ON 22.2.2012.
- EXT. P6- TRUE COPY OF MINUTES OF THE MEETING HELD ON 11.2.2013.
- EXT. P7- TRUE COPY OF MINUTES OF THE MEETING HELD ON 30.12.2014.
- EXT. P8- TRUE COPY OF NOTICE DATED 19.2.2015 ISSUED BY THE 3RD RESPONDENT.
- EXT. P9- TRUE COPY OF REPRESENTATION DATED 23.4.2015 SUBMITTED BY THE PETITIONER BEFORE THE 3RD RESPONDENT.

RESPONDENT(S) ' EXHIBITS :

NIL.

/TRUE COPY/

P.A.TO JUDGE

RVS.

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 17171 of 2015

Dated this the 9th day of June, 2015.

JUDGMENT

The petitioner has come up before this Court, alleging that though he has submitted objection against the second respondent's inclusion in the proceedings, the same has not been considered so far.

2. The petitioner is an employee of the Kerala State Electricity Board and the organizing Secretary of the Kerala Electricity Employees Confederation (INTUC). The petitioner alleges that the second respondent is a defunct union, which has not been functional for years. However, the third respondent issued Ext.P8 notice to the second respondent as a prelude to proceedings under Section 4 of the Kerala Recognition of Trade Union Act, 2010.

3. I have heard the learned counsel for the petitioner and the learned counsel for the respondent Board.

Considering the nature of the prayer sought for and the

nature of the submissions, the writ petition is disposed of directing the third respondent to consider the petitioner's objection against the second respondent's inclusion in the proceedings and pass formal orders on the same, within a period of one month from the date of receipt of a copy of this judgment. It is open to the petitioner to produce a copy of this judgment and a copy of this writ petition to the third respondent to facilitate an early action.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

Scl.