

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

THURSDAY, THE 13TH DAY OF AUGUST 2015/22ND SRAVANA, 1937

WP(C).No. 24675 of 2015 (H)

PETITIONER(S):

**R.VENKATARAMANAN, AGED 42 YEARS,
S/O.RADHAKRISHNAN POTTI, SANGHESAM, KADAPRA,
NIRANAM P.O., THIRUVALLA, PATHANAMTHITTA DISTRICT.**

**BY ADVS.SRI.S.JAYAKRISHNAN
SRI.S.PARAMESWARA PRASAD**

RESPONDENT(S) :

- 1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY, LABOUR DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695 001.**
- 2. THE DEPUTY LABOUR COMMISSIONER,
OFFICE OF THE DEPUTY LABOUR COMMISSIONER,
COLLECTORATE, KAKKANAD P.O., ERNAKULAM, PIN - 682 030.**
- 3. THE DISTRICT LABOUR OFFICER,
COLLECTORATE, KAKKANAD P.O., ERNAKULAM, PIN - 682 030.**
- 4. VINOD MENON,
MANAGING DIRECTOR, M/S.ALMARK HOUSING CO.(P)LTD.,
5TH FLOOR, SANTHI EMERALD, CHERUPARAMBATH ROAD,
KADAVANTHRA, KOCHI, PIN - 682 020.**

R1 TO R3 BY GOVERNMENT PLEADER SMT.K.A.SANJEETHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 13-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS :

EXHIBIT P1: TRUE COPY OF LETTER NO.HR/1455 DATED 12.03.2013 ISSUED BY THE 4TH RESPONDENT.

EXHIBIT P2: TRUE COPY OF THE E-MAIL COMMUNICATIONS SENT BY THE PETITIONER TO THE 4TH RESPONDENT.

EXHIBIT P3: TRUE COPY OF THE LAWYER NOTICE DATED 27.11.2014 SENT BY THE PETITIONER TO THE 4TH RESPONDENT.

EXHIBIT P4: TRUE COPY OF COMPLAINT DATED 23.12.2014 SUBMITTED BY THE PETITIONER BEFORE THE 4TH RESPONDENT.

EXHIBIT P5: TRUE COPY OF THE REPRESENTATION DATED 27.06.2015 SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT.

EXHIBIT P6: TRUE COPY OF THE REPRESENTATION DATED 29.07.2015 SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT.

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

A.V.RAMAKRISHNA PILLAI, J.

W.P.(C)No.24675 of 2015

Dated this the 13th day of August, 2015.

J U D G M E N T

The petitioner is seeking a direction to the respondent to consider Exts.P5 and P6 representations.

2. The petitioner was offered a job of "Project Manager" in the 4th respondent's company. After the interview, he was appointed as "Project Manager" in a pay package of Rs.5,40,000/- per annum in addition to project wise production/performance incentives and statutory benefits such as Provident Fund Gratuity etc. as per laws. Accepting all these conditions, the petitioner joined as the Project Manager at Kochi on 1.4.2013. The petitioner alleges that the terms and conditions intimated to the petitioner vide Ext.P1 were not provided to him by the 4th respondent. The petitioner points out that though as per the salary offered by the 4th respondent to the petitioner as

Project Manager was Rs.5,40,000/- per annum ie., Rs.45,000/- per month, he was paid only Rs.30,000/- per month. It is also alleged that, the salary for the month of June and July of 2014 was not paid. The petitioner is the only earning member of his family. Hence he was compelled to resign from the post due to the non receipt of salary and have forwarded his resignation letter dated 21.6.2014 to the 4th respondent with a request to settle his claims so that he can seek another job to earn pays the salary due. Therefore, the petitioner was constrained to file Ext.P4 complaint before the 3rd respondent requesting to take urgent steps to realise the petitioner's salary for the month of June and July of 2014, salary arrears and other terminal benefits from the 4th respondent. Thereafter, the petitioner filed Exts.P5 and P6 representations before the 2nd and 1st respondents. However, no action has been taken so far ; it is alleged.

3. I have heard the learned counsel for the petitioner and the learned Government Pleader in the matter.

4. As the learned counsel for the petitioner confined his arguments to a limited prayer for a consideration of Exts.P5 and P6 within a time frame, this Court is of the view that, this writ petition can be disposed of even without issuing notice to the 4th respondent.

Therefore, this writ petition is disposed of directing the 1st respondent to consider Ext.P6 and the 2nd respondent to consider Ext.P5 within one month of receipt of copy of this judgment, after affording the petitioner an opportunity of being heard.

Sd/-
A.V.RAMAKRISHNA PILLAI,
Judge.

ami/

//True copy//

P.A. to Judge