

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

WEDNESDAY, THE 18TH DAY OF FEBRUARY 2015/29TH MAGHA, 1936

WP(C).No. 27844 of 2014 (E)

PETITIONER(S) :

1. THE GENERAL WORKERS UNION (CITU),
CENTRAL WAREHOUSE UNIT KURIACHIRA,
THRISSUR DISTRICT, REPRESENTED BY ITS LEADER
BIJU C.D, AGED 38 YEARS, S/O.DEVASSY,
CHULLIKKADAN HOUSE, THRISSUR DISTRICT.
2. THRISSUR HEADLOAD WORKERS UNION (AITUC),
CENTRAL WAREHOUSE UNIT, KURIACHIRA, THRISSUR DISTRICT,
REPRESENTED BY ITS LEADER, THIMOTHI.
3. THRISSUR HEADLOAD WORKERS UNION, (INTUC),
CENTRAL WAREHOUSE UNIT, KURIACHIRA,
REPRESENTED BY ITS LEADER, LINTO.

BY SRI.RENJITH THAMPAN (SENIOR ADVOCATE)
ADV. SMT.P.RREENA

RESPONDENT(S) :

1. THE ASSISTANT LABOUR COMMISSIONER,
OFFICE OF THE REGIONAL LABOUR COMMISSIONER, KAKKANAD,
ERNAKULAM - 682 030.
2. GENERAL SECRETARY,
THRISSUR JILLA GENERAL MAZDOOR SANGHAM,
SHORNOOR ROAD, THIRUVAMPADY PATRIACHAL,
THRISSUR - 680 022.
3. THE CENTRAL WAREHOUSE CORPORATION,
REPRESENTED BY ITS GO DOWN MANAGER, KURIACHIRA,
THRISSUR DISTRICT, PIN- 682 022.

R1 BY ADV. SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL

R2 BY ADVS. SRI.P.RAMAKRISHNAN
SMT.PREETHI KESAVAN

R3 BY ADVS. SRI.K.R.GANESH
SRI.ELVIN PETER P.J.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 18-02-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:

Msd.

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1: A TRUE COPY OF THE NEGOTIABLE SETTLEMENT DATED 07.11.1997.**
- EXT.P2: A TRUE COPY OF THE MEMORANDUM OF SETTLEMENT ARRIVED AT
UNDER SECTION 12 (3) OF THE INDUSTRIAL DISPUTES ACT,
DATED 28.02.2002.**
- EXT.P3: A TRUE COPY OF THE LETTER DATED 06.10.2014 ISSUED BY
THE 1ST RESPONDENT TO THE 1ST PETITIONER UNION.**
- EXT.P4: A TRUE COPY OF THE REPRESENTATION FILED BY THE PETITIONERS
UNION BEFORE THE 1ST RESPONDENT.**

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.S.TO JUDGE.

Msd.

K. Vinod Chandran, J.

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W.P.(C)No.27844 of 2014

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Dated this the 18th day of February, 2015.

JUDGMENT

1. Petitioners pray that, they may also be called for the conciliation, initiated by the first respondent, with respect to the wages payable to the headload workers, engaged by the third respondent.
2. I have heard the learned counsel for the petitioners, learned counsel for the first respondent as also the learned counsel for the second respondent.
3. The first respondent has filed a statement, in which it is specifically averred that, the petitioners were called for, for the conciliation proceedings on 27.10.2014. Learned counsel for the second respondent contends that, they also have absolutely no difficulty in the conciliation proceedings being proceeded, with the participation

of the petitioners herein. It is in fact submitted that, the conciliation proceedings are held up, only because of the pendency of the writ petition. There is no difficulty expressed by either of the respondents in enabling the petitioners to participate in the conciliation proceedings. The statement of the first respondent, specifically indicates that the petitioners were called to participate in the conciliation proceedings. The writ petition would be closed as unnecessary. Necessarily, the petitioners would be participated in the conciliation proceedings.

Writ petition is closed.

K. Vinod Chandran, Judge.

sl.