

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

MONDAY, THE 12TH DAY OF JANUARY 2015/22ND POUSHA, 1936

WP(C).No. 28841 of 2014 (E)

PETITIONER:

SURESH KUMAR.G., S/O.GOPINATHAN PILLAI,
BOBBIN CARRIER, CARD NO 386,
WINDING DEPARTMENT, QUILON CO-OPERATIVE
SPINNING MILLS, KARAMCODE P.O., CHATHANNOOR,
KOLLAM RESIDING AT PADINJATTIDATH HOUSE,
VADAKKEKKARA, ASHTAMUDI P.O, KOLLAM- 691 602.

BY ADV. SRI.B.MOHANLAL

RESPONDENTS:

1. STATE OF KERALA REPRESENTED BY
THE SECRETARY TO GOVERNMENT,
INDUSTRIES DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM PIN 695 001.
2. THE GENERAL MANAGER,
DISTRICT INDUSTRIES CENTRE,
ASRAMAM P.O., KOLLAM 691 002.
3. THE QUILON CO-OPERATIVE SPINNING MILLS,
KARAMCODE P.O, CHATHANNOOR, KOLLAM 691 579,
REPRESENTED BY ITS MANAGING DIRECTOR .
4. THE BOARD OF DIRECTORS OF QUILON
CO-OPERATIVE SPINNING MILLS,
KARAMCODE P.O.,CHATHANNOOR,
KOLLAM 691 579,REPRESENTED BY ITS CHAIRMAN
5. NISAM, STORE BOY, QUILON CO-OPERATIVE SPINNING MILLS,
KARAMCODE P.O, CHATHANNOOR, KOLLAM - 691 579.

R3 BY ADV. SRI.K.ANAND (SR.)

R3 BY ADV. SMT.LATHAKRISHNAN

R5 BY ADV. SRI.K.SIJU

R5 BY ADV. SRI.A.MUHAMMED RAFFI

BY GOVERNMENT PLEADER SRI. GIKKU JACOB

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 12-01-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1 THE TRUE COPY OF THE CERTIFICATE NO. 267 DATED 10/02/2012 ISSUED BY THE MEDICAL BOARD A.A. RAHIM MEMORIAL DISTRICT HOSPITAL, KOLLAM TO THE PETITIONER
- EXHIBIT P2 THE TRUE COPY OF THE IDENTITY CARD ISSUED BY THE SOCIAL WELFARE DEPARTMENT TO THE PETITIONER
- EXHIBIT P3 THE TRUE COPY OF THE LETTER NO. 40/C2/13/INDUSTRIES DATED 24/06/2013 ISSUED BY THE 1ST RESPONDENT TO THE PETITIONER
- EXHIBIT P4 THE TRUE COPY OF THE PERMANENT DISABLEMENT BENEFIT NO 54-R/12/21/724/13/SROK DATED 16/07/2013 ISSUED BY THE ESI CORPORATION, KOLLAM TO THE PETITIONER
- EXHIBIT P5 THE TRUE COPY OF THE DECISION OF ESI MEDICAL BOARD IN INSURANCE NO 480-1546834 DATED 27/08/2013
- EXHIBIT P6 THE TRUE COPY OF THE APPLICATION DATED 23/05/2014 SUBMITTED BY THE PETITIONER BEFORE THE 3RD RESPONDENT
- EXHIBIT P7 THE TRUE COPY OF THE APPLICATION DATED 20/10/2014 SUBMITTED BY THE PETITIONER BEFORE THE 3RD RESPONDENT

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 28841 OF 2014

Dated this the 12th day of January, 2015

JUDGMENT

The petitioner is working as a Bobbin career in the third respondent Co-operative Spinning Mills. He challenges the appointment of the fifth respondent as a Store Boy in the spinning mills. The remedy of the petitioner is to raise a dispute under Section 69(2)(d) of the Kerala Co-operative Societies Act, 1969. The Writ Petition for annulling the appointment of the fifth respondent is not maintainable.

2. The petitioner has also a case that a post of Peon would arise in the spinning mills in November, 2015. The petitioner stakes claim under the Persons with Disabilities (Equal opportunities, Protection of Rights and Full Participation) Act, 1995. Ext.P7 representation put in by the petitioner is pending consideration. I direct the third respondent to consider Ext.P7 representation with notice to the petitioner. The needful shall be done within a period of three months from the date of receipt of a copy of this judgment.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**