

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN**

**MONDAY, THE 9TH DAY OF FEBRUARY 2015/20TH MAGHA, 1936**

**WP(C).No. 33054 of 2009 (B)**  
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**PETITIONER(S):**  
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1. SWATHANTHRA AUTORICKSHAW THOZHILALI UNION (SATU) AFFILIATED TO H.M.S/35/2007, E.P SMARAKA MANDIRAM, YOGASALA ROAD, KANNUR, REP. BY ITS DISTRICT SECRETARY, N.LAKSHMANAN, S/O.KANNAN.
2. T.SELVARAJ, S/O.THANKASWAMI, AGED 57 YEARS, RESIDING AT KURUVATHU VEEDU, EDACHOVVA, CHOVA P.O., KANNUR.

**BY ADV. SRI.C.K.SREEJITH**

**RESPONDENT(S):**  
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1. THE STATE OF KERALA, REP. BY CHIEF SECRETARY, GOVT. SECRETARIAT, TRIVANDRUM.
2. CHIEF EXECUTIVE OFFICER, KERALA MOTOR TRANSPORT WORKERS WELFARE FUND, KOLLAM.
3. THE REGIONAL TRANSPORT OFFICER, KANNUR.
4. SECRETARY TO GOVERNMENT, LABOUR AND REHABILITATION (H) DEPARTMENT, TRIVANDRUM.
5. THE COMMISSIONER, MOTOR TRANSPORT, TRIVANDRUM.

**R1, R3 TO R5 BY GOVT. PLEADER SRI.MANOJ KURIYACHAN  
R2 BY SRI.P.RAMAKRISHNAN, SC**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD  
ON 09-02-2015, THE COURT ON THE SAME DAY DELIVERED  
THE FOLLOWING:**

**mbr/**

**WP(C).No. 33054 of 2009 (B)**  
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**APPENDIX**

**PETITIONER(S)' EXHIBITS:**  
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- EXT.P1:        TRUE COPY OF THE G.O.(RT)2852/08 DATED 21ST NOVEMBER 2008.**
- EXT.P2:        TRUE COPY OF AUTORICKSHAW WORKERS WELFARE FUND SCHEME  
1991.**
- EXT.P3:        TRUE COPY OF THE REPRESENTATION SUBMITTED TO  
4TH RESPONDENT ON 26.6.2009.**
- EXT.P4:        TRUE COPY OF THE LETTER ISSUED TO THE 2ND RESPONDENT  
DATED 17.6.2009.**
- EXT.P5:        TRUE COPY OF THE REPLY GIVEN TO THE PETITIONER ON A PETITION  
UNDER RIGHT TO INFORMATION AT STATING THAT THE AMENDED  
SCHEME WAS CAME INTO FORCE WITH EFFECT FROM JUNE 2005.**

**RESPONDENT(S)' EXHIBITS:                                -        NIL**  
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**/TRUE COPY/**

**P.A. TO JUDGE**

**mbr/**

**K.VINOD CHANDRAN, J**

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W.P.(C).No. 33054 of 2009  
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Dated 9<sup>th</sup> February, 2015  
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**JUDGMENT**

The issue raised in the writ petition is with respect to the coverage of persons who have completed 60 years of age. The said issue is already answered in T.A.Aleemul Islam Trust v. State of Kerala (2009 (4) KLT 225). Hence, the writ petition is allowed, respectfully following the aforesaid judgment.

**Sd/-**

**K.VINOD CHANDRAN**  
**Judge**

MrCs

//True Copy//

P.A. To Judge