

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

FRIDAY, THE 9TH DAY OF JANUARY 2015/19TH POUSHA, 1936

WP(C).No. 31557 of 2013 (T)

PETITIONER :

**KANAN DEVAN HILLS PLANTATION COMPANY LIMITED,
KDHP HOUSE, MUNNAR-685 612,
REPRESENTED BY ITS MANAGER - IR MR PRINCE THOMAS GEORGE.**

**BY ADVS.SRI.M.GOPIKRISHNAN NAMBIAR
SRI.P.GOPINATH
SRI.P.BENNY THOMAS
SRI.K.JOHN MATHAI**

RESPONDENT(S):

- 1. THE GENERAL SECRETARY,
DEVIKULAM ESTATE WORKERS UNION,
MUNNAR.P.O.-685 612.**
- 2. RAMALETCHMI,
SEVENMALLAI ESTATE, MUNNAR-685 612.**
- 3. INSPECTOR OF PLANTATIONS,
MUNNAR -685 612.**
- 4. CHIEF INSPECTOR OF PLANTATIONS,
NEAR BHARATH HOSPITAL, KOTTAYAM-686 001.**
- 5. LABOUR COMMISSIONER,
THIRUVANANTHAPURAM, HOUSING BOARD BUILDINGS,
4TH FLOOR, SANTHI NAGAR,
THIRUVANANTHAPURAM-695 001.**

**R1 BY ADV. SMT.A.K.PREETHA
R3 TO R5 BY SR GOVERNMENT PLEADER SRI.BIJU MEENATTOOR**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 09-01-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

sts

WP(C).No. 31557 of 2013 (T)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1: COPY OF THE UNDERTAKING GIVEN BY THE WORKER DATED 19/12/2003.**
- P2: COPY OF THE ORDER DATED 25.7.2006 PASSED BY THE 3RD RESPONDENT IN ORDER NO.140/2004.**
- P3: COPY OF THE APPEAL MEMORANDUM DATED NIL FILED BY THE PETITIONER BEFORE THE 4TH RESPONDENT.**
- P4: COPY OF THE ORDER PASSED BY THE 4TH RESPONDENT IN M.C.A.NO.11 OF 2006 DATED 25.2.2011.**
- P5: COPY OF THE ORDER PASSED BY THE 5TH RESPONDENT IN ORDER NO.G1-10160/11 DATED 01.10.2012.**

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

P.A.TO.JUDGE

sts

K.VINOD CHANDRAN, J

W.P.(C).No. 31557 of 2013

Dated 9th January, 2015

JUDGMENT

The petitioner, an employer has challenged the orders of the respondent authorities under the Plantation Labour Act interdicting re-fund of the amounts which the 2nd respondent had incurred for the purpose of a surgery effected on the husband of the 2nd respondent. Admittedly, the 2nd respondent is an employee of the petitioner. The learned counsel appearing for the petitioner would submit that as far as the 2nd respondent is concerned, the petitioner would not seek any re-fund and concede to the orders of the authorities. The recovery effected has also now been re-funded to the 2nd respondent. In such circumstances, the petitioner only claims that the question raised may be left open and the writ petition may be closed.

In the above circumstances, the writ petition is closed, leaving open the question to be raised before the appropriate forum.

Sd/-

K.VINOD CHANDRAN
Judge

Mrcs

//True Copy//