

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

FRIDAY, THE 6TH DAY OF FEBRUARY 2015/17TH MAGHA, 1936

WP(C).No. 33551 of 2010 (T)

PETITIONER(S):

1. **GOPALAKRISHNAN NAIR K.G.,
NJALIYEDATHU HOUSE, KONNACKAL P.O., KANAM,
CHANGANASSERY.**
2. **VALSAMMA MATHEW,
PULLIYIL HOUSE, PULICKAL KAVALA, VAZHOOR,
CHANGANASSERY.**
3. **USHAKUMARI V.S.,
SUCHEENDRAM HOUSE, VAZHOOR P.O.,
THEERTHAPADAPURAM P.O., CHANGANASSERY.**
4. **MANOJ, VALEL HOUSE,
PULICKAL KAVALA P.O., VAZHOOR, CHANGANASSERY.**
5. **JOSEPH J.ZACHARIA,
KARACKATTU HOUSE, VAZHOOR P.O., CHANGANASSERY.**
6. **MATHEW P.A.,
PADINJAREKARA HOUSE, THOTTACKADU P.O.,
CHANGANASSERY.**
7. **MANOJ THOMAS,
MANAGING PARTNER, ABYSON POLYMERE
PULICKAL KAVALA P.O., VAZHOOR, CHANGANASSERY.**
8. **VISWANATHAN, KUZHIMADAPPALLY,
VAZHOOR P.O., CHANGANASSERY.**
9. **GEORGE BOBBY ZACHARIA,
EDETHINEKAM HOUSE, NEDUMKUNNAM.**
10. **BIJILI MATHEW,
KOCHUPARAMBIL, KANAM P.O., VAZHOOR.**
11. **RENJITH R., CHENNAMKULAM,
PULICKAL KAVALA P.O., VAZHOOR.**
12. **K.A.PETER, KAKKUZHIYIL,
PUKICKAL KAVALA P.O., VAZHOOR.**

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13. MANOJ P.R., PLACHERIL HOUSE,
VAZHOOR P.O., CHANGANASSERY.
14. SAJEEV S., PULIMKUNNEL HOUSE,
VAZHOOR P.O., CHANGANASSERY TALUK.
15. ANI SOBICHAN, ERAVIKULANGARA,
DEVAGIRI P.O., KANGAZHA, CHANGANASSERY.
16. MOHAMMED HASHIM V.S.,
VANDANATH HOUSE, KANGAZHA P.O., CHANGANASSERY.
17. MATHEW VARGHESE,
VENDANATHU VAYALIL HOUSE, KANJIRAPPARA P.O.
CHANGANASSERY.
18. MATHEW P.VARGHESE,
PUTHUPPALYMATOM, DEVAGIRI P.O., KANGAZHA
CHANAGASSERY.
19. BIJU, PUTHUVELIL,
CHAMPAKADA P.O., KARUKACHAL.
20. THOMAS SCARIA, PEELIYANICKAL,
NEDUMKUNNAM P.O., CHANGANASSERY.
21. SHIJU VARGHESE,
THANDUTHARE HOUSE, MUNDATHANAM P.O.,
CHANGANASSERY.
22. VASUDEVA KURUP K.,
SREESADANAM, BALAMKUNNEL, KARUKACHAL.
23. RAJASEKHARAN, KIDECHIRA HOUSE,
CHAMPAKARA P.O., KARUKACHAL.
24. ALIYAR KUNJU, THUPPANAMALAYIL,
EDAYIRICKAPPUZHA P.O., CHANGANASSERY.
25. MONICHAN, PULICKAL HOUSE,
CHELAKOMBU P.O., NEDUMANNY.
26. DILEEPKUMAR,
PUTHENPARAMBIL, KANOM P.O., VAZHOOR.
27. OMANA, THADATHIL HOUSE,
PULICKAL KAVALA P.O., VAZHOOR.
28. MOHANDAS, PATTUPARA PUTHENPURAYIL,
VAZHOOR P.O., CHANGANASSERY.

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29. BHUVANESWARY AMMA,
PARACKAL, KARUKACHAL P.O.
30. BIJU VARGHESE,
KANNAMKULAM, KARUKACHAL P.O.,
CHANGANASSERY.
31. ACHENKUNJU, EBIN ENGINEERING WORKS,
KARUKACHAL P.O., CHANGANASSERY.
32. VISWANATHAN, VAISHAKOM,
KARUKACHAL P.O., CHANGANASSERY.
33. VISWANATHAN, VAISHAKOM,
KARUKACHAL P.O., CHANGANASSERY.
34. RAJEEV E.R., ELLICKAL HOUSE,
PULICKAL KAVALA P.O., VAZHOOR.
35. RAJU E.S., ELLICKAL HOUSE,
PUKICKAL KAVALA P.O., VAZHOOR.
36. MUHAMMED NAVAS, KARIMPIL HOUSE,
CHAMAMPATHAL P.O., VAZHOOR.
37. JESSY CHERIAN,
CHERAKULAM HOUSE, NEDUMKUNNAM P.O.,
CHANGANASSERY.
38. THOMAS P.THOMAS,
PUTHENMALA P.O., IDAYINICKAPUZHA P.O., KANGAZHA.
39. BIJU PUTHUVELIL,
CHAMPAKARA P.O., KARUKACHAL.

BY ADV. SRI.M.J.THOMAS

RESPONDENT(S):---

1. THE STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
LABOUR DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM.
2. THE MOTOR TRANSPORT WORKERS WELFARE
FUND BOARD, KOLLAM, REPRESENTED BY ITS
CHIEF EXECUTIVE OFFICER.
3. THE DISTRICT EXECUTIVE OFFICER,
KERALA MOTOR TRANSPORT WORKERS
WELFARE FUND BOARD, KOTTAYAM.

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**4. THE REGIONAL TRANSPORT AUTHORITY,
KOTTAYAM.**

**R1 & R4 BY GOVERNMENT PLEADER SRI.V.K.RAFEEQ
R2 & R3 BY ADV. SRI.K.S.MANU**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
06-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

APPENDIX

PETITIONER(S)' EXHIBITS:

EXT.P1: TRUE COPY OF THE RECEIPT ISSUED TO ONE ABRAHAM.

EXT.P1(a): TRUE COPY OF THE RECEIPT ISSUED TO ONE XAVIER.

EXT.P2: TRUE COPY OF THE CHALAN RECEIPTS DATED 7.5.2008, 31.8.2008, 29.1.2009, 2.5.2009, 25.7.2009, 10.11.2009 AND 31.7.2010.

EXT.P3: TRUE COPY OF CHALAN RECEIPTS ISSUED TO THE 2ND PETITIONER AGAINST SUCH PAYMENTS IN RESPECT OF VEHICLE NO.KL-33/4943.

EXT.P4: TRUE COPY OF CHALAN RECEIPTS ISSUED TO THE 3RD PETITIONER AGAINST SUCH PAYMENTS IN RESPECT OF VEHICLE NO.KL--5/V-525.

EXT.P4(a): TRUE COPY OF CHALAN RECEIPTS ISSUED TO THE 3RD PETITIONER AGAINST SUCH PAYMENTS IN RESPECT OF VEHICLE NO.KL-5/Q-2025.

EXT.P5: TRUE COPY OF CHALAN RECEIPTS ISSUED TO THE 4TH PETITIONER AGAINST SUCH PAYMENTS IN RESPECT OF VEHICLE NO.KL-5/F-118.

EXT.P6: TRUE COPY OF CHALAN RECEIPTS ISSUED TO THE 5TH PETITIONER AGAINST SUCH PAYMENTS IN RESPECT OF VEHICLE NO.KL-5/V-5216.

EXT.P7: TRUE COPY OF CHALAN RECEIPTS ISSUED TO THE 6TH PETITIONER AGAINST SUCH PAYMENTS IN RESPECT OF VEHICLE NO.KL-5/V-757.

EXT.P8: TRUE COPY OF CHALAN RECEIPTS ISSUED TO THE 7TH PETITIONER AGAINST SUCH PAYMENTS IN RESPECT OF VEHICLE NO.KL-5/V-24.

EXT.P9: TRUE COPY OF CHALAN RECEIPTS ISSUED TO THE 8TH PETITIONER AGAINST SUCH PAYMENTS IN RESPECT OF VEHICLE NO.KL-33/918.

EXT.P10: TRUE COPY OF CHALAN RECEIPTS ISSUED TO THE 9TH PETITIONER AGAINST SUCH PAYMENTS IN RESPECT OF VEHICLE NO.KEE-5148.

EXT.P11: TRUE COPY OF CHALAN RECEIPTS ISSUED TO THE 10TH PETITIONER AGAINST SUCH PAYMENTS IN RESPECT OF VEHICLE NO.KL-5/V-5112.

EXT.P11(a): TRUE COPY OF CHALAN RECEIPTS ISSUED TO THE 10TH PETITIONER AGAINST SUCH PAYMENTS IN RESPECT OF VEHICLE NO.KL-33/3375.

EXT.P12: TRUE COPY OF CHALAN RECEIPTS ISSUED TO THE 11TH PETITIONER AGAINST SUCH PAYMENTS IN RESPECT OF VEHICLE NO.KL-5/V-602.

EXT.P13: TRUE COPY OF CHALAN RECEIPTS ISSUED TO THE 12TH PETITIONER AGAINST SUCH PAYMENTS IN RESPECT OF VEHICLE NO.KL-5/B-8634.

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EXT.P14: TRUE COPY OF CHALAN RECEIPTS ISSUED TO THE 13TH PETITIONER
AGAINST SUCH PAYMENTS IN RESPECT OF VEHICLE NO.KL-3/F-2490.

EXT.P15: TRUE COPY OF CHALAN RECEIPTS ISSUED TO THE 14TH PETITIONER
AGAINST SUCH PAYMENTS IN RESPECT OF VEHICLE NO.KL-5/V-144.

EXT.P16: TRUE COPY OF CHALAN RECEIPTS ISSUED TO THE 15TH PETITIONER
AGAINST SUCH PAYMENTS IN RESPECT OF VEHICLE NO.KL-5/S-9487.

EXT.P16(a): TRUE COPY OF CHALAN RECEIPTS ISSUED TO THE 15TH PETITIONER
AGAINST SUCH PAYMENTS IN RESPECT OF VEHICLE NO.KL-33/6056.

EXT.P17: TRUE COPY OF CHALAN RECEIPTS ISSUED TO THE 16TH PETITIONER
AGAINST SUCH PAYMENTS IN RESPECT OF VEHICLE NO.KL-5/Q-7625.

EXT.P17(a): TRUE COPY OF CHALAN RECEIPTS ISSUED TO THE 16TH PETITIONER
AGAINST SUCH PAYMENTS IN RESPECT OF VEHICLE NO.KL-5/T-2364.

EXT.P17(b): TRUE COPY OF CHALAN RECEIPTS ISSUED TO THE 16TH PETITIONER
AGAINST SUCH PAYMENTS IN RESPECT OF VEHICLE NO.KL-7/Z-2142.

EXT.P18: TRUE COPY OF CHALAN RECEIPTS ISSUED TO THE 17TH PETITIONER
AGAINST SUCH PAYMENTS IN RESPECT OF VEHICLE NO.KL-5/4-5051.

EXT.P19: TRUE COPY OF CHALAN RECEIPTS ISSUED TO THE 18TH PETITIONER
AGAINST SUCH PAYMENTS IN RESPECT OF VEHICLE NO.KL-5/V-7571855.

EXT.P20: TRUE COPY OF CHALAN RECEIPTS ISSUED TO THE 19TH PETITIONER
AGAINST SUCH PAYMENTS IN RESPECT OF VEHICLE NO.KL-4/H-8119.

EXT.P21: TRUE COPY OF CHALAN RECEIPTS ISSUED TO THE 20TH PETITIONER
AGAINST SUCH PAYMENTS IN RESPECT OF VEHICLE NO.KL-5/H-4570.

EXT.P22: TRUE COPY OF CHALAN RECEIPTS ISSUED TO THE 21ST PETITIONER
AGAINST SUCH PAYMENTS IN RESPECT OF VEHICLE NO.KL-5/6607.

EXT.P23: TRUE COPY OF CHALAN RECEIPTS ISSUED TO THE 22ND PETITIONER
AGAINST SUCH PAYMENTS IN RESPECT OF VEHICLE NO.KL-5/8098.

EXT.P24: TRUE COPY OF CHALAN RECEIPTS ISSUED TO THE 23RD PETITIONER
AGAINST SUCH PAYMENTS IN RESPECT OF VEHICLE NO.KL-2/E-5670.

EXT.P25: TRUE COPY OF CHALAN RECEIPTS ISSUED TO THE 24TH PETITIONER
AGAINST SUCH PAYMENTS IN RESPECT OF VEHICLE NO.KL-5/C-1562.

EXT.P26: TRUE COPY OF CHALAN RECEIPTS ISSUED TO THE 25TH PETITIONER
AGAINST SUCH PAYMENTS IN RESPECT OF VEHICLE NO.KL-7/K-8845.

EXT.P27: TRUE COPY OF CHALAN RECEIPTS ISSUED TO THE 26TH PETITIONER
AGAINST SUCH PAYMENTS IN RESPECT OF VEHICLE NO.KL-5/P-243.

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EXT.P28: TRUE COPY OF CHALAN RECEIPTS ISSUED TO THE 27TH PETITIONER
AGAINST SUCH PAYMENTS IN RESPECT OF VEHICLE NO.KL-5/M-5950.

EXT.P29: TRUE COPY OF CHALAN RECEIPTS ISSUED TO THE 28TH PETITIONER
AGAINST SUCH PAYMENTS IN RESPECT OF VEHICLE NO.KL-5/P-1840.

EXT.P30: TRUE COPY OF CHALAN RECEIPTS ISSUED TO THE 29TH PETITIONER
AGAINST SUCH PAYMENTS IN RESPECT OF VEHICLE NO.KL-5/F-3837.

EXT.P31: TRUE COPY OF CHALAN RECEIPTS ISSUED TO THE 30TH PETITIONER
AGAINST SUCH PAYMENTS IN RESPECT OF VEHICLE NO.KL-5/J-4930.

EXT.P31(a): TRUE COPY OF CHALAN RECEIPTS ISSUED TO THE 30TH PETITIONER
AGAINST SUCH PAYMENTS IN RESPECT OF VEHICLE NO.KL-5/Q-2991.

EXT.P32: TRUE COPY OF CHALAN RECEIPTS ISSUED TO THE 31ST PETITIONER
AGAINST SUCH PAYMENTS IN RESPECT OF VEHICLE NO.KL-5/V-147.

EXT.P33: TRUE COPY OF CHALAN RECEIPTS ISSUED TO THE 32ND PETITIONER
AGAINST SUCH PAYMENTS IN RESPECT OF VEHICLE NO.KL-5/D-7034.

EXT.P34: TRUE COPY OF CHALAN RECEIPTS ISSUED TO THE 33RD PETITIONER
AGAINST SUCH PAYMENTS IN RESPECT OF VEHICLE NO.KL-5/E-6687.

EXT.P35: TRUE COPY OF CHALAN RECEIPTS ISSUED TO THE 34TH PETITIONER
AGAINST SUCH PAYMENTS IN RESPECT OF VEHICLE NO.KL-5/V-102.

EXT.P36: TRUE COPY OF CHALAN RECEIPTS ISSUED TO THE 35TH PETITIONER
AGAINST SUCH PAYMENTS IN RESPECT OF VEHICLE NO.KL-5/C-1002.

EXT.P37: TRUE COPY OF CHALAN RECEIPTS ISSUED TO THE 36TH PETITIONER
AGAINST SUCH PAYMENTS IN RESPECT OF VEHICLE NO.KL-5/V-904.

EXT.P38: TRUE COPY OF CHALAN RECEIPTS ISSUED TO THE 37TH PETITIONER
AGAINST SUCH PAYMENTS IN RESPECT OF VEHICLE NO.KL-5/L-2034.

EXT.P39: TRUE COPY OF CHALAN RECEIPTS ISSUED TO THE 38TH PETITIONER
AGAINST SUCH PAYMENTS IN RESPECT OF VEHICLE NO.KL-3/A-3727.

EXT.P40: TRUE COPY OF CHALAN RECEIPTS ISSUED TO THE 39TH PETITIONER
AGAINST SUCH PAYMENTS IN RESPECT OF VEHICLE NO.KL-3/C-2705.

EXT.P41: TRUE COPY OF THE INTERIM ORDER DTD.5.8.2010 OF THIS HONORABLE
COURT IN WP(C) NO.24181/2010.

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

K. Vinod Chandran, J.

W.P(C) No.33551 of 2010-T

Dated this the 06th day of February, 2015

JUDGMENT

The dispute raised in the above writ petition is with respect to the non-issuance of receipt for payment of Motor Transport Workers' Welfare Fund. This Court had passed an interim order dated 08.11.2010. The learned Standing Counsel appearing for the Board submits that the interim order has been complied with scrupulously.

In the above circumstance, the interim order is made absolute and the writ petition would stand disposed of.

Sd/-
K.Vinod Chandran
Judge.

vku/-

(true copy)