

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

TUESDAY, THE 17TH DAY OF NOVEMBER 2015/26TH KARTHIKA, 1937

WP(C).No. 29965 of 2015 (U)

PETITIONER:

**K.K. UNNIKRISHNAN
KOTTIL PADINJAROOT HOUSE,
P.O.GURUVAYOOR, MAMMIYOOR
THRISSUR, PRESENTLY THAMARAYOOR.P.O.
THRISSUR-680 505.**

**BY ADVS.SRI.P.RAMAKRISHNAN
SMT.PREETHI KESAVAN
SRI.S.K.HARISH
SRI.T.C.KRISHNA
SRI.C.ANIL KUMAR
SMT.ASHA K.SHENOY
SRI.PRATAP ABRAHAM VARGHESE**

RESPONDENTS:

- 1. T.K. RUGMINI AMMA
MANAGING PARTNER,
JAYASREE THEATRE,
GURUVAYOOR
THRISSUR-680 101.**
- 2. THE DEPUTY LABOUR COMMISSIONER AND
APPELLATE AUTHORITY
UNDER SHOPS AND COMMERCIAL ESTABLISHMENTS ACT
THRISSUR-680 001.**

**R1 BY ADV.SRI.G.SREEKUMAR (CHELUR)
R2 BY SR. GOVERNMENT PLEADER SMT. SANJEETHA K.A.**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
17-11-2015 ALONG WITH W.P.(C). NO.32178/2015, THE COURT ON THE
SAME DAY DELIVERED THE FOLLOWING:**

WP(C).No. 29965 of 2015 (U)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1- TRUE COPY OF THE ORDER DATED 30-10-2015 IN SA.NO.2/95 PASSED BY THE
2ND RESPONDENT.**
- P2- TRUE COPY OF THE JUDGMENT 21-12-2011 IN WPC NO.4042/2006**
- P3- TRUE COPY OF JUDGMENT DATED 27-08-2014 IN WANO.199/2012.**
- P4- TRUE COPY OF THE REPRESENTATION DATED 14-10-2014 SUBMITTED BY
THE PETITIONER BEFORE THE 1ST RESPONDENT.**
- P5- TRUE COPY OF APPLICATION DATED 15.10.2014 SUBMITTED BY THE
PETITIONER BEFORE THE 2ND RESPONDENT**

RESPONDENT(S)' EXHIBITS:-NIL

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). Nos. 29965 & 32178 OF 2015

Dated this the 17th day of November, 2015

JUDGMENT

The order in S.A. No. 2/95 passed under the Kerala Shops and Commercial Establishments Act, 1960 has been affirmed in W.P.(C). No. 4042/2006 and confirmed in W.A. No. 199/2012. The petitioner in W.P.(C). No. 29965/2015 is entitled to a substantial amount under the order from the petitioner in W.P.(C). No. 32178/2015.

2. The petitioner in W.P.(C). No. 29965/2015 shall intimate the petitioner in W.P.(C). No. 32178/2015 about the actual amount due as on 30.11.2015. The amount shall be quantified taking note of the accruing interest if any. The petitioner in W.P.(C). No. 32178/2015 shall pay the amount in four equal monthly instalments.

3. The instalments shall be paid on or before the last day of December 2015, January 2016, February 2016 and March 2016. The revenue recovery proceedings can surge ahead if the petitioner in W.P.(C). No. 32178/2015 commits

default in any one of the instalments. The coercive steps shall be put on hold if the instalments as directed above are paid by the petitioner in W.P.(C). No. 32178/2015.

The writ petitions are disposed of.

**V. CHITAMBARESH
JUDGE**

DCS