

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

WEDNESDAY, THE 7TH DAY OF JANUARY 2015/17TH POUSHA, 1936

WP(C).No. 36576 of 2009 (N)

PETITIONER(S) :

1. BINDU, W/O. K.SURENDRAN,
(CHECK ROLL NO.1728) AMBALATHUMVILAYIL,
VELLANAD ESTATE, KARINILAM
MUNDAKKAYAM.
2. RAJANI, W/O.RAJU (CHECK ROLL NO.1560)
KADALIKKATTU, MUNDAKAYAM ESTATE , 2ND DIVISION
MUNDAKAYAM.
3. SUJATHA,
W/O.ABHAYA CHANDRAN (CHECK ROLL NO.1723)
VELLANADI ESTATE, MUNDAKAYAM.
4. LISSY,
W/O.K.P. DAS (CHECK ROLL NO.1721)
ARIPPLAKKAL HOUSE, VELLANADI
MUNDAKAYAM P.O.
5. SUBHA,
W/O.SAJEEVAN (CHECK ROLL NO.1570)
METHUNDIYIL, MUNDAKAYAM.
6. SHERLY, W/OPRAKASH
MUNDAKAYAM ESTATE, MUNDAKAYAM.
7. GEMINI, W/O.DEVADAS
MUNDAKAYAM ESTATE, MUNDAKAYAM.
8. SARAMMA, W/O.SASI
MUNDAKAYAM ESTATE, MUNDAKAYAM.

BY ADV. SRI.C.S.MANILAL

RESPONDENT(S) :

1. THE REGIONAL JOINT LABOUR COMMISSIONER
OFFICE OF THE JOINT LABOUR COMMISSIONER, ERNAKULAM

2. THE DISTRICT LABOUR OFFICER,
KOTTAYAM.

3. HARRISON MALAYALAM LTD
(MUNDAKKAYAM ESTATE), REPRESENTED BY MANAGER
MUNDAKKAYAM ESTATE OFFICE, MUNDAKKAYAM, KOTTAYAM.

R1 & R2 BY GOVT. PLEADER SRI. R. RANJITH
R3 BY ADVS. SRI.E.K.NANDAKUMAR
SRI.K.JOHN MATHAI
SRI.P.BENNY THOMAS
SRI.P.GOPINATH
SRI.V.J.ANAND

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 07-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

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...3/-

APPENDIX

PETITIONER'S EXHIBITS :

- EXT.P1 : COPY OF THE TEMPORARY WORKERS SENIORITY LIST
(MUNDAKAYAM ESTATE)
- EXT.P2 COPY OF THE SETTLEMENT DEED DATED 16.7.1996.
- EXT.P3 COPY OF THE SETTLEMENT DEED DATED 10.12.1998.
- EXT.P4 COPY OF THE PETITION TO THE MANAGER HARRISON MALAYALAM
LTD., DATED 5-11-2008.
- EXT.P5 COPY OF THE COMPLAINT TO THE 1ST RESPONDENT DATED
1/11/2008.
- EXT.P6 COPY OF THE REQUEST DATED 20.11.09 ALONG WITH THE LIST OF
APPOINTMENT.
- EXT.P7 COPY OF THE REQUEST TO THE 1ST RESPONDENT DATED 15/8/2009.

RESPONDENT'S EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

K. VINOD CHANDRAN, J

W.P(C) No. 36576 of 2009

Dated this the 07th day of January, 2015

J U D G M E N T

The petitioners who claimed to be temporary workers under the 3rd respondent, sought for immediate action on Ext.P7 representation filed before the Regional Joint Labour Commissioner, the first respondent herein. Obviously, on a reading of the averments as also the petition produced at Ext.P7, the contention is with respect to the regularization of the temporary workers. Subsequent to the filing of the writ petition, the learned counsel for the 3rd respondent submits that a notice was issued by the RJLC dated 25.01.2010 and according to their information, conciliation proceedings are pending consideration before the RJLC.

2. The learned counsel, who was originally appearing for the petitioners submits that he has relinquished the vakalath and the parties have taken the files back. In any event, the writ petition is only for consideration of Ext.P7, proceedings said to be pending from 2009 onwards. The RJLC, the first respondent herein shall finalise the

proceedings if not yet finalised, as expeditiously as possible. It is made clear that this Court has not made any observation on merits and the contentions of either parties will be left open for consideration before the appropriate forum.

Writ petition would stand disposed of.

Sd/-
(K. VINOD CHANDRAN, JUDGE)

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//true copy//

P.A to Judge