IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

WEDNESDAY, THE 4TH DAY OF NOVEMBER 2015/13TH KARTHIKA, 1937

WP(C).No. 33546 of 2015 (P)

PETITIONER:

ISHI MATHEW, AGED 65 YEARS,
M/O.RAJESH KURIAN, MUTHOLIL HOUSE,
PALA.P.O., KOTTAYAM DISTRICT - 686 575.

BY ADV. SMT.DAISY A.PHILIPOSE

RESPONDENT(S):

1. WELFARE FUND INSPECTOR,
THE KERALA TODDY WORKER
WELFARE FUND BOARD,
OFFICE OF THE WELFARE FUND INSPECTOR,
KANJANI ROAD, AYYANTHOLE,
THRISSUR.P.O. - 680 001.

2. SECRETARY TO GOVERNMENT,
LABOUR AND REHABILITATION(S) DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM - 695 001.
(APPELLATE AUTHORITY UNDER THE KERALA
TODDY WORKERS WELFARE FUND ACT - 1969).

3. THE DEPUTY TAHSILDAR(R/R), PALA - 686 575

R1 BY SRI.RENIL ANTO,SC
R2 & R3 BY GOVERNMENT PLEADER SMT.LILLY.K.T.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 04-11-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

mbr/

WP(C).No. 33546 of 2015 (P)

APPENDIX

PETITIONERS' EXHIBITS:

EXT. P1 : **A TRUE COPY OF THE FINAL ASSESSMENT ORDER DATED 28.2.2015 PASSED BY THE 1ST RESPONDENT.**

EXTR. P2 : **A TRUE COPY OF THE APPEAL MEMORANDUM DATED 4.12.2014 FILED BY THE PETITIONER UNDER SECTION 8(5) OF THE KERALA TODDY WORKERS WELFARE FUND ACT, 1969.**

EXT. P3 : **A TRUE COPY OF THE DEMAND NOTICE DATED 9.10.2015 ISSUED BY THE 3RD RESPONDENT.**

EXT. P4 : **A TRUE COPY OF THE JUDGMENT DATED 11.8.2015 IN WP(C)NO.24288/2015.**

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

mbr/

A.K.JAYASANKARAN NAMBIAR, J.

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W.P.(C). No. 33546 of 2015

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Dated this the 4th day of November, 2015

JUDGMENT

Against Ext.P1 final order passed under the Kerala Toddy Workers Welfare Fund Act, the petitioner has preferred Ext.P2 appeal before the 2nd respondent, and the limited prayer of the petitioner in the writ petition is for a direction to the 2nd respondent to consider and pass orders on Ext.P2 appeal, expeditiously, and to keep recovery steps pursuant to Ext.P3 demand notice, in abeyance till such time as orders are passed by the 2nd respondent.

2. I have heard the learned counsel appearing for the petitioner as also the learned Government Pleader appearing for the respondents.

On a consideration of the facts and circumstances of the case and the submissions made across the bar, I dispose the writ petition with a direction to the 2nd respondent to consider and pass orders on Ext.P2 appeal preferred by the petitioner before him, within a period of three months from the date of receipt of a copy of this judgment, after hearing the petitioner. Coercive steps for recovery pursuant to Ext.P3 demand notice, shall be kept in abeyance, till such time as orders are passed as directed and

communicated to the petitioner. The petitioner shall produce a copy of the writ petition together with a copy of this judgment before the 2nd respondent for further action.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE

das /04.11.15