

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.HARILAL

THURSDAY, THE 3RD DAY OF DECEMBER 2015/12TH AGRAHAYANA, 1937

WP(C).No. 36547 of 2015 (P)

PETITIONER(S):

**P.K. RAJAN, S/O.G.P. PILLAI, AGED 69 YEARS,
BUSINESS, PROPRIETOR, GIRIRAJ ENTERPRISES,
MALIKEMPEDIKA, ALANGADU, PIN-683 511,
RESIDING AT MADATHILKATT, KARUMALLOOR,
N. PARUR, PIN-683 511.**

**BY ADVS.SRI.V.J.JAMES,
SRI.K.A.HAZAN,
SRI.ARUN PAUL (KAPRASSERY).**

RESPONDENT(S):

- 1. THE ASST. LABOUR OFFICER,
N. PARUR, PIN-683 513.**
- 2. STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
LABOUR AND REHABILITATION DEPARTMENT,
THIRUVANANTHAPURAM-695 001.**
- 3. THE CHAIRMAN,
KERALA HEAD LOAD WORKERS WELFARE BOARD,
SUB OFFICE, MARKET ROAD, N. PARUR, PIN-683 513.**

**R1 & R2 BY SR. GOVT. PLEADER SMT.K.A. SANJEETHA.
R3 BY ADVS. SRI.V.E. ABDUL GAFOOR, SC.
SRI.C.S. AJITH PRAKASH, SC.**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 03-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- EXT.P1 COPY OF THE ORDER NO.E2/152/2015 DATED 01/10/2015 OF THE CHAIRMAN, KERALA HEAD WORKERS WELFARE BOARD SUB OFFICE, N. PARUR, 1ST RESPONDENT.
- EXT.P2A APPLICATION DATED 22/09/2015 ALONG WITH MEDICAL CERTIFICATE AND PROOF OF AGE FILED BY PUTUL KONWAR FOR REGISTRATION BEFORE THE ASST. LABOUR OFFICER, N. PARUR.
- EXT.P2B APPLICATION DATED 22/09/2015 ALONG WITH MEDICAL CERTIFICATE AND PROOF OF AGE FILED BY SUSAN GOGOI FOR REGISTRATION BEFORE THE ASST. LABOUR OFFICER, N. PARUR.
- EXT.P2C APPLICATION DATED 22/09/2015 ALONG WITH MEDICAL CERTIFICATE AND PROOF OF AGE FILED BY KAPIL RABHA FOR REGISTRATION BEFORE THE ASST. LABOUR OFFICER, N. PARUR.
- EXT.P2D APPLICATION DATED 22/09/2015 ALONG WITH MEDICAL CERTIFICATE AND PROOF OF AGE FILED BY SRIKANTHA BADA0 BEFORE THE ASST. LABOUR OFFICER, N. PARUR.
- EXT.P2E APPLICATION DATED 22/09/2015 ALONG WITH MEDICAL CERTIFICATE AND PROOF OF AGE FILED BY AJITH BORA FOR REGISTRATION BEFORE THE ASST. LABOUR OFFICER, N. PARUR.
- EXT.P3 COPY OF THE STATEMENT DATED 21/10/2015 FILED BY THE PETITIONER BEFORE THE ASST. LABOUR OFFICER, N. PARUR.
- EXT.P4 COPY OF THE LETTER NO.E 303/2015 DATED 16/10/2015 FILED BY THE 3RD RESPONDENT BEFORE THE ASST. LABOUR OFFICER, N. PARUR.
- EXT.P5 COPY OF THE STATEMENT DATED 09/11/2015 ALONG WITH DOCUMENTS ATTACHED WITH FILED BY THE PETITIONER BEFORE THE ASST. LABOUR OFFICER, N. PARUR.

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

K.HARILAL, J.

W.P.(C) No.36547 of 2015

Dated this the 3rd day of December, 2015.

JUDGMENT

The petitioner is the proprietor of a business concern by name M/s.Giriraj Enterprises, an establishment functioning from 2011 onwards at Malikampeedika, North Paravur. The said shop is registered with the 1st respondent, Assistant Labour Officer, North Paravur under the Kerala Shops and Commercial Establishment Act, 1960. The petitioner had employed five head load workers and they have applied for registration under Rule 26A of the Kerala Head Load Workers Rules, 1981, before the 1st respondent on 22.9.2015 by Exts.P2(a) to P2(e) applications. The 1st respondent conducted a hearing on 21.10.2015; but, did not take a decision so far. The petitioner had filed application and submitted that the petitioner has no objection in granting the registration. The 3rd respondent did not file their

remarks as required in Rule 26A within fifteen days and requested for further time. Thus, the 1st respondent is waiting for reply from the 3rd respondent. Exts.P2(a) to P2(e) are pending disposal for more than 65 days. This is the grievance highlighted in this writ petition.

2. Heard the learned counsel for the petitioner and the learned Government Pleader.

3. Having regard to the grievance ventilated through the pleadings in this writ petition, the 1st respondent is directed to consider and dispose of Ext.P2(a) series applications, at the earliest, at any rate, within a period of one month from the date of receipt of a copy of this judgment, after affording an opportunity of being heard to the petitioner.

This writ petition is disposed of accordingly.

Sd/–
K. HARILAL, JUDGE

okb.