

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR. ASHOK BHUSHAN
&
THE HONOURABLE MR. JUSTICE A.M. SHAFFIQUE

MONDAY, THE 7TH DAY OF DECEMBER 2015/16TH AGRAHAYANA, 1937

WP(C).No. 37035 of 2015 (D)

PETITIONER(S):

ILLATHUPARAMBIL TRADERS
PROPRIETOR E.I NAJEEB, K.K ROAD, KUMILY
IDUKKI DISTRICT

BY ADVS. SRI.E.A. BIJUMON
SRI.AJEESH S. BRITE

RESPONDENT(S):

1. THE SUB INSPECTOR OF POLICE, KUMILY POLICE STATION,
KUMILY, IDUKKI DISTRICT 685 509
2. CIRCLE INSPECTOR OF POLICE,
KUMILY POLICE STATION, KUMILY, IDUKKI DISTRICT 685 509
3. HEAD LOAD WORKERS UNION(CITU)
REG.NO 153/99, POOL NO. II A, KUMILY 685 509
4. HEAD LOAD WORKERS UNION (INTUC),
REG NO 154/99 POOL NO IIB, KUMILY 685 509
5. KERALA HEADLOAD WORKERS WELFARE BOARD, SUB OFFICE,
KUMILY, IDUKKI DISTRICT 685 509

R1 & 2 BY SR. GOVERNMENT PLEADER SRI. C.R. SYAMKUMAR
R5 BY SRI.C.S. AJITH PRAKASH, SC, KHWB

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
07-12-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 37035 of 2015 (D)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1 TRUE COPY OF THE MINUTES OF THE BOARD MEETING DATED 30-11-2015,
ALONG WITH ITS ENGLISH TRANSLATION

EXHIBIT P2 TRUE COPY OF THE COMPLAINT TO 5TH RESPONDENT DATED 03-12-2015,
ALONG WITH ITS ENGLISH TRANSLATION

EXHIBIT P3 TRUE COPY OF THE COMPLAINT TO 2ND RESPONDENT DATED 03-12-2015,
ALONG WITH ITS ENGLISH TRANSLATION

RESPONDENT(S)' EXHIBITS

NIL

// TRUE COPY //

P.A. TO JUDGE

sou.

ASHOK BHUSHAN, CJ & A.M.SHAFFIQUE, J

W.P(C). No. 37035 of 2015

Dated this the 7th day of December, 2015

JUDGMENT

Ashok Bhushan, CJ.

Heard learned counsel for the petitioner and learned Standing Counsel appearing for the fifth respondent. No notice being issued to respondents 1 to 4, in view of the order which is being passed.

2. Petitioner has come up in writ petition seeking direction for providing adequate protection for carrying out loading and unloading work in petitioner's establishment. Petitioner's case is that he is continuing the business of distributing items to the retail shops as per order, in the Maruthi Omni Van. The petitioner is getting the unloading work discharged through the headload workers under the fifth respondent.

3. Petitioner's grievance is that respondents 3 and 4 has increased the rates of loading and unloading and decline to take up the works at the rate of wages which they are being

done till that time. The petitioner claims to have submitted complaint to the fifth respondent. He also refers to a letter dated 3.12.2015 to the Chairman, Headload Workers Welfare Board, Thodupuzha Sub Office at Kumali.

4. The issue which has been raised in the writ petition is the issue of wages to be paid to headload workers. We are of the view that in such issues, police cannot interfere and issues have to be considered and appropriate direction is to be issued by the fifth respondent. The petitioner having approached the fifth respondent, we close the writ petition to pursue the matter and seek appropriate direction from the fifth respondent.

With this observation, the writ petition is closed.

Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE

Sd/-
A.M.SHAFFIQUE,
JUDGE