

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

WEDNESDAY, THE 23RD DAY OF DECEMBER 2015/2ND POUSHA, 1937

WP(C).No. 39482 of 2015 (I)

PETITIONERS:

1. B. VIJAYAN, S/O. V. BHARGAVAN,
HEAD LOAD WORKER, FSD,
KAZHAKKUTTOM, RESIDING AT
SMRITHILAYAM, KATTAYIKONAM P.O.,
THIRUVANANTHAPURAM.
2. V. MOHAN KUMAR, S/O. KRISHNAN NAIR,
HEAD LOAD WORKER, FSD,
KAZHAKKUTTOM, RESIDING AT
NAVUKOTTUKONATHU VEEDU,
POWDIKONAM P.O., THIRUVANANTHAPURAM.
3. SOJAN R., S/O. RAGHUNATHAN,
HEAD LOAD WORKER, FSD,
KAZHAKKUTTOM, RESIDING AT
T.C. 8/101, RAJESWARI VILASAM,
CHERUVICKAL, SREEKARIYAM P.O.,
THIRUVANANTHAPURAM.
4. B. SHAJI, S/O. P. BABY,
HEAD LOAD WORKER, FSD,
KAZHAKKUTTOM, RESIDING AT
SHAJI BHAVAN, KEEZHATTIL,
KATTAIKONAM P.O. THIRUVANANTHAPURAM.
5. M.B. SUBHASH, S/O. BHASKARAN,
HEAD LOAD WORKER, FSD,
KAZHAKKUTTOM, RESIDING AT
MANAKKATTUVILAKAM, NEAR NEHRU JUNCTION,
KAZHAKKUTTOM P.O., THIRUVANANTHAPURAM.
6. G. DINESH, S/O. GIRISH BABU,
HEAD LOAD WORKER, FSD,
KAZHAKKUTTOM, RESIDING AT
DINESH BHAVAN, NEAR NEHRU JUNCTION,
KAZHAKKUTTOM P.O. THIRUVANANTHAPURAM.

7. S. KUMAR, S/O. K. SREEDHARAN,
HEAD LOAD WORKER, FSD,
KAZHAKKUTTOM, RESIDING AT
NANMA HOUSE, NEAR FCI,
KAZHAKKUTTOM, THIRUVANANTHAPURAM.
8. S. RADHAKRISHNAN, S/O. SREEDHARAN,
HEAD LOAD WORKER, FSD,
KAZHAKKUTTOM, RESIDING AT
KIRAN NIVAS, SANTHIR NAGAR,
KAZHAKKUTTOM P.O., THIRUVANANTHAPURAM.
9. S. SURESH BABU, S/O. SAHADEVAN,
HEAD LOAD WORKER, FSD,
KAZHAKKUTTOM, RESIDING AT
SUMA BHAVAN, MANAKKATTU VILAKOM,
NEHUR JUNCTION, KAZHAKKUTTOM P.O.,
THIRUVANANTHAPURAM.
10. R. KUTTAPPAN, S/O. RAGHAVAN,
HEAD LOAD WORKER, FSD,
KAZHAKKUTTOM, RESIDING AT
KALIVILAKATHU VEEDU, KARIYIL,
KAZHAKKUTTOM P.O., THIRUVANANTHAPURAM.
11. S. MOHANAN, S/O. SUKUMARAN,
HEAD LOAD WORKER, FSD,
KAZHAKKUTTOM, RESIDING AT
MANAKKATTU VILAKOM, KARIYIL,
KAZHAKKUTTOM P.O. THIRUVANANTHAPURAM.
12. S. SULAIMAN, S/O. SHAHUL HAMEED,
HEAD LOAD WORKER, FSD,
KAZHAKKUTTOM, RESIDING AT
FAIZAL MANZIL, SULAIMAN STREET,
VALLAKKADAVU P.O., THIRUVANANTHAPURAM.
13. R. RAJAN, S/O. RAMANKUTTY CHETTIYAR,
HEAD LOAD WORKER, FSD,
KAZHAKKUTTOM, RESIDING AT
CHEKKITTA VILAKATHU VEEDU,
KACHANI P.O., THIRUVANANTHAPURAM.

BY ADVS.SRI.BIJU BALAKRISHNAN
SMT.V.S.RAKHEE
SMT.PRINCY XAVIER

RESPONDENTS:

1. UNION OF INDIA, REPRESENTED BY SECRETARY,
LABOUR AND REHABILITATION DEPARTMENT,
CENTRAL SECRETARIAT, NEW DELHI PIN 110 001.

2. STATE OF KERALA REPRESENTED BY SECRETARY,
LABOUR AND REHABILITATION DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM 695 001.
3. FOOD CORPORATION OF INDIA,
HEAD QUARTERS, 16-20, SARAKHAMBA LANE,
NEW DELHI PIN 110 001
REPRESENTED BY ITS CHAIRMAN.
4. GENERAL MANAGER,
FOOD CORPORATION OF INDIA,
REGIONAL OFFICE, KESAVADASAPURAM,
THIRUVANANTHAPURAM 695 007.
5. AREA MANAGER, FOOD CORPORATION OF INDIA,
VALIATHURA, THIRUVANANTHAPURAM 695 008.
6. R. SUDHAKARAN, HEAD LOAD WORKER,
FCI, KAZHAKKUTTOM DEPOT,
THIRUVANANTHAPURAM 695 582.
7. V. MANOHARAN, HEAD LOAD WORKER,
FCI, KAZHAKKUTTOM DEPOT,
THIRUVANANTHAPURAM 695 582.
8. K. BABU, HEAD LOAD WORKER,
FCI, KAZHAKKUTTOM DEPOT,
THIRUVANANTHAPURAM 695 582.
9. B. SANTHOSH, HEAD LOAD WORKER,
FCI, KAZHAKKUTTOM DEPOT,
THIRUVANANTHAPURAM 695 582.

BY SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL
BY SENIOR GOVERNMENT PLEADER SMT. SANJEETHA K.A.
BY SRI.JOSE KURIAKOSE, SC, FCI

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 23-12-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) EXHIBITS

- EXHIBIT P1 : PHOTOSTAT COPY OF THE LABOUR CPF ACCOUNT SLP DATED 23.02.2011 OF THE 1ST PETITIONER.
- EXHIBIT P2 : PHOTOSTAT COPY OF THE NOTICE NO. IR-L/2/2012/AMT DATED 25.05.2014 OF THE 5TH RESPONDENT AND THE SENIORITY LIST ATTACHED THEREWITH.
- EXHIBIT P3 : PHOTOSTAT COPY OF REPRESENTATION DATED 18.05.2015 GIVEN BY THE 1ST PETITIONER TO THE 5TH RESPONDENT
- EXHIBIT P4 : PHOTOSTAT COPY OF SENIORITY LIST PUBLISHED ON 10.12.2015.
- EXHIBIT P5 : PHOTOSTAT COPY OF NOTICE NO. GENL. CORESP. 2015-2016.K2K DATED 10.12.2015.
- EXHIBIT P6 : PHOTOSTAT COPY OF THE REPRESENTATION SUBMITTED ON BEHALF OF THE PETITIONERS BEFORE THE 4TH RESPONDENT
- EXHIBIT P7 : PHOTOSTAT COPY OF THE REPRESENTATION DATED 14.12.2015 SUBMITTED BY THE 1ST PETITIONER BEFORE THE 5TH RESPONDENT

RESPONDENT(S) EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V.CHITAMBARESH, J.

W.P(C)NO. 39482 OF 2015

Dated this the 23rd day of December, 2015

JUDGMENT

Ext.P4 seniority list of Headload Workers shall not be given effect to before considering Ext.P6 representation by the fourth respondent. The fourth respondent shall consider Ext.P6 representation with notice to the affected parties within one month.

No further directions are warranted in this writ petition and the writ petition is disposed of as above.

V.CHITAMBARESH, JUDGE

sks