

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE THOTTATHIL B.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE P.B.SURESH KUMAR

MONDAY, THE 13TH DAY OF AUGUST 2014/22nd SRAVANA, 1936

WA.No. 2119 of 2010 ()

JUDGMENT IN W.P.(C) NO.23077 OF 2010 DATED 23/07/2010

APPELLANTS/RESPONDENTS 1 & 2 IN W.P.(C):

1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO THE LABOUR AND
REHABILITATION (A) DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM.
2. THE LABOUR COMMISSIONER, THIRUVANANTHAPURAM

BY GOVERNMENT PLEADER SRI. M.K. ABOOBACKER

RESPONDENT/PETITIONER & RESPONDENTS 3 TO 6 IN THE W.P.(C):

1. JYOTHY APPU, RESIDING AT PERUMBILYKUDY HOUSE,
KUMARAPURAM P.O., MORAKALA, ERNAKULAM DISTRICT
PIN - 690 548
2. M/S. K.V. TRANSPORTS, REP. BY ITS PROPRIETOR,
ITHITHANAM P.O.,
CHANGANACHERRY - 686 535
3. MATHEW MANUEL, RESIDING AT VII/100, KOLADY HOUSE,
CHERPUNKAL P.O., PALA,
KOTTAYAM DISTRICT - 686 584
4. P.V. PAILY, RESIDING AT PADINJAREMUKKEL HOUSE,
PUTHUPPADY P.O., KOTHAMANGALAM,
ERNAKULAM DISTRICT - 686 673
5. M/S. ELDHOSE TRANSPORTS, REPRESENTED BY ITS
MANAGING PARTNER, KANNANGANAMALIL,
THRIKKARIYOOR P.O., KOTHAMANGALAM,
ERNAKULAM DISTRICT- 686 692

6. M/S. AMMU TRANSPORT CORPORATION, REPRESENTED BY ITS MANAGING PARTNER, PULIMOOTIL BUILDINGS, VANNAPURAM POST, THODUPUZHA - 685 582
7. M/S. PARUMALA TRANSPORT, REPRESENTED BY ITS PARTNER, CHIYYARAM P.O., THRISSUR DISTRICT - 680 026.
8. BIJOY. V.A., RESIDING AT VENGAZHIYIL HOUSE, CHIYYARAM P.O., THRISSUR DISTRICT - 680 026
9. M/S. KEERTHY TRAVELS, REPRESENTED BY ITS PARTNER, HOTEL HOLUX BUILDING, OPPOSITE K.S.R.T.C. BUS STATION, PALAKKAD DISTRICT - 673 641.
10. M.M. RAJU, RESIDING AT MANNULLIL HOUSE, KUMARAPURAM P.O., MORAKKALA, ERNAKULAM DISTRICT - 690 548.
11. M.M. THOMAS, RESIDING AT MANNULLIL HOUSE, KUMARAPURAM P.O., MORAKKALA, ERNAKULAM DISTRICT - 690 548.
12. BABU. P.G., RESIDING AT POMAKKATTU HOUSE, CHERTHALA, ALAPPUZHA DISTRICT - 688 524
13. M/S. PANANGOTE TRANSPORTS, REPRESENTED BY ITS PROPRIETOR, PANANGOTE BUNGLOW, ALUMMOODU. P.O. MUKHATHALA, KOLLAM - 691 577.
14. M/S. SREE VINAYAKA INDANE SERVICES, REPRESENTED BY ITS PROPRIETRIX. NORTH NADA, KODUNGALLUR, THRISSUR - 680664.
15. M/S. XL TRANSPORTS, REPRESENTED BY ITS PROPRIETOR, PADIVATTOM, PIPELINE ROAD, EDAPPALLY P.O., ERNAKULAM DISTRICT - 682 024
16. E.A. NOBY, PROPRIETOR, ERALIL HOUSE, L.P.S. ROAD, PALARIVATTOM, ERNAKUMA - 682 025
17. BIJU MATHEW, TRANSPORT CONTRACTOR, RESIDING AT MANNULLIL HOUSE, KUMARAPURAM P.O., MORAKKALA, ERNAKULAM - 690548.
18. K.K. GEORGE, RESIDING AT KANNANGANAMALIL HOUSE, THRIKKARIYOOR P.O., KOTHAMANGALAM, ERNAKULAM - 686 691.
19. THE KERALA STATE LPG AND TANK TRUCK WORKERS UNION, (C.I.T.U), REGISTRATION NO.07-21/88, REPRESENTED BY ITS SECRETARY, CHELARI, THENHIPALAM. P.O., MALAPPURAM - 673 636.

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20. CHERLARI INDIAN OIL CORPORATION TRANSPORT WORKERS CONGRESS (I.N.T.U.C.) CHELARI, THENHIPALAM P.O. MALAPPURAM - 673 636.
21. KERLA STATE LPG AND TANK TRUCK WORKERS UNION (C.I.T.U), REGISTRATION NO.07-21/88, UDAYAMPEROOR, ROOM NO.1, ANJALI BUILDING, NADAKKAVU P.O., KOCHI - 682 307.
22. THE SECRETARY, LPG TRANSPORTERS ASSOCIATION, UDAYAMPEOOR, ROOM NO.1. ANJALI BUILDING, NADAKKAVU P.O., KOCHI - 682 307

R1, R10, R11, R15 AND R16 BY ADVS. SRI. T.C. SURESH MENON
SRI. GIBU. P. THOMAS

R21 BY ADV. SRI. JESWIN P. VARGHESE

R22 BY ADV. SRI. P. RAMAKRISHNAN

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 13-08-2014,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**THOTTATHIL B.RADHAKRISHNAN
&
P.B.SURESH KUMAR, JJ.**

W.A. No. 2119 of 2010

Dated this the 13th day of August, 2014

J U D G M E N T

Thottathil B. Radhakrishnan,J.

Read order dated 24.07.2014. It is submitted by the learned counsel for the respondents that his clients found solace by out of court settlement. In such circumstances, the writ appeal is dismissed as infructuous.

Sd/-

THOTTATHIL B.RADHAKRISHNAN, JUDGE

Sd/-

P.B.SURESH KUMAR, JUDGE

smv