

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN**

**FRIDAY, THE 31ST DAY OF OCTOBER 2014/9TH KARTHIKA, 1936**

**WP(C).No. 27395 of 2014 (Y)**  
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**PETITIONER(S):**  
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**KERALA CONSTRUCTION WORKERS UNION (AIUTUC),  
NATIONAL THERMAL POWER CORPORATION UNIT, G.K.BHAVAN,  
NANGIARKULANGARA P.O., ALEPPY,  
PIN: 690 513, (AFFILIATED TO KERALA CONSTRUCTION WORKERS UNION,  
REG. NO.402/1971, NANDANCODE,  
THIRUVANANTHAPURAM),REPRESENTED BY ITS PRESIDENT.**

**BY ADVS.SRI.K.S.MADHUSOODANAN  
SRI.THOMAS CHAZHUKKARAN  
SRI.M.M.VINOD KUMAR  
SMT.K.M.RAMYA  
SRI.P.K.RAKESH KUMAR  
SRI.K.S.MIZVER**

**RESPONDENT(S):**  
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- 1. UNION OF INDIA,  
REPRESENTED BY SECRETARY,  
MINISTRY OF LABOUR AND EMPLOYMENT,  
GOVERNMENT OF INDIA, NEW DELHI - 110 001.**
- 2. REGIONAL LABOUR COMMISSIONER (CENTRAL),  
RAMANILAYAM, T.C.25/3453, UPPALAM ROAD,  
THIRUVANANTHAPURAM - 695 001.**
- 3. NATIONAL THERMAL POWER CORPORATION (NTPC),  
RAJIV GANDHI COMBINED CYCLE POWER PROJECT  
CHOO LAHERUV, 690 506, KAYAMKULAM,  
ALAPPUZHA,  
(GOVERNMENT OF INDIA ENTERPRISES)  
REPRESENTED BY ITS GENERAL MANAGER.**
- 4. KAYAMKULAM SUPER THERMAL POWER  
PROJECT WORKERS ASSOCIATION,  
(CITU), CHOO LATHERUV P.O., ALEPPY - PIN: 690 506,  
REPRESENTED BY ITS GENERAL SECRETARY.**

**Msv/**

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5. KAYAMKULAM THERMAL PLANT WORKERS UNION (AITUC),  
REG. NO.03-29 OF 1989 H.O.CHOOLATHERUV P.O.,  
ALAPPUZHA, PIN: 690 506,  
REPRESENTED BY ITS GENERAL SECRETARY.
6. RAJIV GANDHI COMBINED CYCLE POWER PROJECT CONSTRUCTION  
AND MAINTENANCE (NTPC) WORKERS UNION (INTUC)  
INTUC BHAVAN, CHINGOLI P.O., ALEPPY - 690 532  
REPRESENTED BY ITS GENERAL SECRETARY.
7. CONSTRUCTION AND GENERAL MAZDOOR SANGH,  
BMS OFFICE, ALAPPUZHA,  
REPRESENTED BY ITS GENERAL SECRETARY - 690 506.
8. KERALA CONSTRUCTION LABOUR UNION (INTUC),  
CHOOLATHERUV, P.O. ALAPPUZHA,  
REPRESENTED BY ITS GENERAL SECRETARY - 690 506.

R1 & R2 BY ADV. SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL  
R3 BY ADV. SMT.LATHA KRISHNAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON  
31-10-2014, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

msv/

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APPENDIX

PETITIONER(S)' EXHIBITS  
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EXT.P1: PHOTOCOPY OF THE NOTICE DATED 27/11/2012 BEARING  
NO.08(47)/2012/ ALC/TVM OF ASST. LABOUR COMMISSIONER (CENTRAL), TVM.

EXT. P2: PHOTOCOPY OF THE MINUTES DATED 21/12/12 OF ALC,  
THIRUVANANTHAPURAM.

EXT. P3: PHOTOCOPY OF THE MINUTES -DO- DATED 21/1/13.

EXT. P4: PHOTOCOPY OF THE FORWARDING LETTER DATED 1/2/13 WITH LIST OF  
WORKERS BY THE PETITIONER UNION.

EXT. P5: PHOTOCOPY OF THE FORWARDING LETTER DATED 16/4/13 BY THE  
PETITIONER TO ALC.

EXT. P6: PHOTOCOPY OF THE LETTER TO 3RD RESPONDENT DATED 13/1/14.

EXT. P7: PHOTOCOPY OF THE REPLY OF R3 BEARING NO.1034; HR-ES(CLC)  
DATED 12/3/14.

EXT. P8: PHOTOCOPY OF THE NOTICE DATED 21.6.2014 IN FORM E.

EXT. P9: PHOTOCOPY OF THE COVERING LETTER ALONG WITH CHARTER OF DEMAND  
DATED 25/6/14 TO R2.

EXT. P10: PHOTOCOPY OF THE LETTER FROM 2ND RESPONDENT DATED 8/10/2014  
BEARING NO.08/A3/2014.

EXT. P11: PHOTOCOPY OF THE LETTER OF 4TH RESPONDENT TO THE  
2ND RESPONDENT DATED 15/10/14.

EXT. P12: PHOTOCOPY OF THE LETTER OF 5TH RESPONDENT DO.

EXT. P13: PHOTOCOPY OF THE MINUTES DATED 15/10/2014 OF THE 2ND RESPONDENT.

RESPONDENT(S)' EXHIBITS:  
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NIL

//TRUE COPY//

P.S.TO JUDGE.

Msv/

**K. VINOD CHANDRAN, J.**

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W.P.(C) No. 27395 of 2014  
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Dated this the 31<sup>st</sup> day of October, 2014

**J U D G M E N T**

Despite notice to the other Unions, none have appeared. Hence there shall be a direction to the Regional Labour Commissioner to participate the petitioner in the conciliation proceedings proposed to be held on 3.11.2014 and if at all any objection as to the representative nature of the Union is raised then the conciliation shall be proceeded with only after deciding that issue first by the Regional Labour Commissioner, after hearing the Management.

The Writ Petition is disposed of as above.

Sd/-  
K.VINOD CHANDRAN,  
JUDGE