
(2012) 11 KL CK 0122
In the High Court Of Kerala
Case No : WP. (C) . No. 17088 of 2012

K.K. Kunhikannan and Others

APPELLANT

Vs

The Controlling Authority, (Under Gratuity Act) and The Cannanore Co-Operative Spinning Mills Ltd., Addl. R3. The Deputy Labour Commissioner Workmen's Compensation Commission Opposite Anaswara Textile, S.N. Park Road Kannur -1. Addl. R3 is Impleaded as Per Order Dated 04/10/2012 in IA 13163/2012

RESPONDENT

Date of Decision : 05-11-2012

Acts Referred:

Citation : (2012) 11 KL CK 0122

Hon'ble Judges : Harun-UI-Rashid, J

Bench : Single Bench

Advocate : A. Mohamed Mustaque and Sri. K.R. Avinash Kunnath, for the Appellant; M. Gopikrishnan Nambiar, for R2 and Sri. P.P. Padmalayan, Government Pleader for R1 and R3, for the Respondent

Judgement

Justice Harun-UI-Rashid

1. The writ petition is filed seeking a direction directing the first respondent to dispose of Exts. P1 to P14 within such time that may be fixed by this Court and for a direction directing the 2nd respondent not to disburse gratuity without following seniority in retirement of the employees and for other incidental reliefs. Exts. P1 to P14 applications submitted by the petitioners seeking disbursement of gratuity were submitted before the first respondent. Pending this writ petition, all the gratuity cases pending before the first respondent have been transferred to Deputy Labour Commissioner, Workmen's Compensation Commission, Kannur. The Deputy Labour Commissioner was impleaded as additional 3rd respondent.

In the light of the fact that Exts. P1 to P14 are now pending before the additional 3rd respondent, the writ petition is disposed of, directing the additional 3rd respondent to consider and pass appropriate orders on Exts. P1 to P14

applications within a period of three months from the date of receipt of a copy of the judgment. There will be a further direction to the 2nd respondent to disburse the gratuity amount to its employees following the seniority in retirement.