

(2012) 06 KL CK 0222

In the High Court Of Kerala

Case No : WP (C) . No. 7190 of 2012 (W)

P.K. Gopalakrishnan, Sumod Kumar, K.M. Shajahan Thaithara
and V.M. Murali Manu Mandiram

APPELLANT

Vs

The Kerala Headload Workers Welfare Board and The
Manager The Kerala State Ware Housing Corporation

RESPONDENT

Date of Decision : 21-06-2012

Acts Referred:

Kerala Headload Workers Act, 1978 — Section 21

Citation : (2012) 06 KL CK 0222

Hon'ble Judges : K. Surendra Mohan, J

Bench : Single Bench

Advocate : K.A. Manzoor Ali, for the Appellant; Koshy George, SC, Khlwwb, Sri. M. Gopikrishnan Nambiar, Sri. P. Gopinath, Sri. P. Benny Thomas, Sri. K. John Mathai and Sri. V.P. Prasad Advocate, for the Respondent

Judgement

K. Surendra Mohan, J.

1.The petitioners are registered headload workers under the Kerala Headload Workers Act, 1978 (the "Act" for short). They have filed this writ petition aggrieved by the non-implementation of Exts.P2 and P3 decisions of the first respondent. The additional fourth respondent has filed a counter affidavit producing Ext.R4(c), copy of an appeal filed by the said respondent before the first respondent. According to the counsel for the first respondent, Ext.R4(c) is not maintainable before the said authority. The dispute would have to be determined by the Assistant Labour Officer in exercise of the powers u/s 21 of the Act. The counsel for the third respondent submits that they had not made any request for grant of registration to any additional workers, since they already have sufficient number of workers registered under the Act.

2. Since the issue is one that should be decided in exercise of the jurisdiction u/s 21 of the Act, I am not inclined to entertain this writ petition. The same is accordingly disposed of directing the petitioner to move the appropriate authority

u/s 21 of the Act for a resolution of the disputes between the petitioner and the respondents.