

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.979 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 25590/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

TATA CONSULTANCY SERVICES LIMITED
TCS CENTRE,K XEZ UNIT, INFOPARK P.O, KOCHI-682 242.
REPRESENTED BY ITS ASST. GENERAL MANAGER-HR
MR. BOBAN VARGHESE THOMAS.

BY ADVS.
SRI.P.BENNY THOMAS
SRI.D.PREM KAMATH

RESPONDENT/S:

- 1 STATE OF KERALA, REPRESENTED BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001.
- 2 ASSISTANT LABOUR OFFICER
KANNUR FIRST CIRCLE,2ND FLOOR,
CHANDOOTH COMPLEX,NETAJI ROAD, KANNUR-670 001.
- 3 ASSISTANT LABOUR OFFICER
ALAPPUZHA FIRST CIRCLE,
OFFICE OF THE DIST. LABOUR OFFICER, SAS COMPLEX,
THONDANKULANGARA, ALAPUZHA-688 013.
- 4 UNION OF INDIA
REPRESENTED BY ITS SECRETARY,MINISTRY OF LABOUR,
NEW DELHI- 110 001.

R1 TO R3 BY SRI.K.V.SOHAN, STATE ATTORNEY
R4 BY ASSISTANT SOLICITOR GENERAL SRI.P.VIJAYAKUMAR
R4 BY CGC SRI.V.R.RAKESH (SERVED ON)

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.978/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.978 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 40607/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

- 1 M/S.NEW SANROS AYURVEDIC PVT. LTD.
8/27-G, PALAKKATTU BUILDING, KESAVANPADI,
NATIONAL HIGHWAY 49, TRIPUNITHURA, ERNAULAMM-682035,
REPRESENTED BY ITS MANAGING DIRECTOR
SRI. SREEKANTH PRASAD.
- 2 SREEKANTH PRASAD, AGED 32 YEARS, S/O. K. PRASAD,
RESIDING AT SREEBHAVAN, THEKKUMBAGAM,
THRIPUNITHURA - 682 301.

BY ADV. SRI.NAVOD PRASANNAN PATTALI

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695001
- 2 ASSISTANT LABOUR OFFICER
ERNAKUAM IST CIRCLE, CIVIL STATION, KAKKANAD,
KOCHI-682030.
- 3 UNION OF INDIA
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI-110 001.

R1-R2 BY SRI.K.V.SOHAN, STATE ATTORNEY
R1 BY ADV. SRI.K.V.SOHAN STATE ATTORNEY
R3 BY ADV. SRI.RAJAGOPALAN.A., CGC

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
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23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

W.A.No.980 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 154/2018 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

- 1 RAK KITCHEN & BEDROOMS AND ANR
7/383, DARSSULAM ROAD, ERNAKULAM - 682 002.
REPRESENTED BY ITS MANAGING PARTNER THASLEEK V.A
- 2 THASLEEK V A., AGED 28 YEARS, S/O. MOHD ASHRAF,
RESIDING AT B3,KORMAC BUILDERS,
M.K RAGHAVAN ROAD,
ERNAKULAM - 682 002.

BY ADV. SRI.NAVOD PRASANNAN PATTALI

RESPONDENT/S:

- 1 STATE OF KERALA, REPRESENTED BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.
- 2 ASSISTANT LABOUR OFFICER
ERNAKULAM 2ND CIRCLE, CIVIL STATION, KAKKANAD,
KOCHI - 682 030.
- 3 UNION OF INDIA
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI - 110 001.

R1-2 BY SRI.K.V.SOHAN, STATE ATTORNEY
R1 BY ADV. SRI.K.V.SOHAN STATE ATTORNEY
R3 BY ADV. SRI.DINESH R.SHENOY, CGC

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connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.981 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 37531/2017 DATED 10-04-2018 OF
HIGH COURT OF KERALA

APPELLANT/S:

JERRY'S COLOURZONE
41/2748, PARAMARA ROAD, KOCHI - 682 018,
REPRESENTED BY ITS PROPRIETOR SRI.GERARD T.C.

BY ADV. SRI.NAVOD PRASANNAN PATTALI

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT, GOVERNMENT
SECRETARIAT, THIRUVANANTHAPURAM-695 001.
- 2 ASSISTANT LABOUR OFFICER ERNAKULAM 2ND CIRCLE
CIVIL STATION, KAKKANAD, KOCHI-682 030.
- 3 UNION OF INDIA
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI-110 001.

R1-2 BY SRI.K.V.SOHAN, STATE ATTORNEY
R3 BY ADV. SRI.M.N.MANMADAN, CGC

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.982 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 23165/2017 OF HIGH COURT OF
KERALA

APPELLANT/S:

- 1 RAPIDVALUE IT SERVICES PRIVAT LTD.
3C, 3RD FLOOR, PHASE-2, CARINIVAL
INFOPARK, KAKKANAD, KOCHI-682042,
REPRESENTED BY ITS DIRECTOR
SRI RINISH KUNHIRAMAN NALINI.
- 2 RINISH KUNHIRAMAN NALINI, AGED 38 YEARS
S/O. KUNHIRAMAN PONNARI,
RESIDING AT NEEMATI, THIKKODI P.O.,
KOZHIKODE - 673 529.

BY ADV. SRI.NAVOD PRASANNAN PATTALI

RESPONDENT/S:

- 1 STATE OF KERALA, REPRESENTED BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT, GOVERNMENT
SECRETARIAT, THIRUVANANTHAPURAM-695001.
- 2 ASSISTANT LABOUR OFFICER
ERNAKULAM 1ST CIRCLE, CIVIL STATION,
KAKKANAD, KOCHI-682030.
- 3 UNION OF INDIA, REPRESENTED BY ITS SECRETARY,
MINISTRY OF LABOUR, NEW DELHI - 110 001.

R1-R2 BY SRI.K.V.SOHAN, STATE ATTORNEY

R3 BY ADV. ASSISTANT SOLICITOR GENERAL (BY ORDER)

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connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.983 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 155/2018 OF HIGH COURT OF
KERALA

APPELLANT/S:

- 1 RAK INTERIORS
7/379, DARSSULAM ROAD, ERNAKULAM-682002,
REPRESENTED BY ITS PARTNER SRI. HASLEEK V.A.
- 2 THASLEEK V.A., AGED 38 YEARS, S/O. MOHD ASHRAF,
RESIDING AT B3, KORMAC BUILDERS, M.K.RAGHAVAN ROAD,
ERNAKULAM-682002.

BY ADV. SRI.NAVOD PRASANNAN PATTALI

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695001.
- 2 ASSISTANT LABOUR OFFICER ERNAKULAM 2ND CIRLCE
CIVIL STATION, KAKKANAD, KOCHI-682030.
- 3 UNION OF INDIA
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI-110001.

R1-R2 BY SRI.K.V.SOHAN, STATE ATTORNEY
R3 BY ADV. SRI.T.V.VINU, CGC

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W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.984 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 33979/2017
OF HIGH COURT OF KERALA

APPELLANT/S:

- 1 D/S. DATAMATE INFOSOLUTIONS
PLOT NO.16 A,IT PARK,CSEZ KAKKANAD, ERNAKULAM,
KERALA-680037,
REPRESENTED BY ITS MANAGING DIRECTOR SRI JOBI JOHN.
- 2 JOBI JOHN
AGED 49 YEARS,S/O V T JOHN,
RESIDING AT F3,K S MANSION, AZHAKANTHARA LANE,
KALOOR, KOCHI-17.

BY ADV. SRI.NAVOD PRASANNAN PATTALI

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT,THIRUVANANTHAPURAM-695001.
- 2 ASSISTANT LABOUR OFFICER
ERNAKULAM 1ST CIRCLE,CIVIL STATION,
KAKKANAD,KOCHI-682030.
- 3 UNION OF INDIA
REPRESENTED BY ITS SECRETARY,
MINISTRY OF LABOIUR,NEW DELHI-110001.

R1 BY ADV. SRI.K.V.SOHAN STATE ATTORNEY
R1-2 BY SRI.K.V.SOHAN, STATE ATTORNEY

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.985 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 4387/2018 DATED 10-04-2018 OF
HIGH COURT OF KERALA

APPELLANT/S:

1 EVM MOTORS & VEHICLE INDIA PRIVATE LIMITED
H/4C, N.H.BYPASS, OPP.BTH SAROVARAM, KANNADIKADU,
MARADU.P.O.,ERNAKULAM - 682 304,
REPRESENTED BY ITS MANAGING DIRECTOR,
SRI.SABU JOHNY.

2 SABU JOHNY AGED 48 YEARS
S/O.JOHNY MATHEW, RESIDING AT FLAT NO.3D,
ORCHID COURT APARTMENTS,PANCHAVADI,
VYTILLA.P.O.,ERNAKULAM - 682 019.

BY ADV. SRI.NAVOD PRASANNAN PATTALI.

RESPONDENT/S:

1 STATE OF KERALA
REPRESENTED BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.

2 ASSISTANT LABOUR OFFICER
ERNAKULAM 1ST CIRCLE,CIVIL STATION, KAKKANAD,
KOCHI - 682 030.

3 ASSISTANT LABOUR OFFICER
ALAPPUZHA 4TH CIRCLE, CHERTHALA, KODATHIKAVALA,
CHERTHALA,KERALA - 688 524.

W.A.979 of 2018 &
connected cases.

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4 UNION OF INDIA
 REPRESENTED BY ITS SECRETARY,
 MINISTRY OF LABOUR, NEW DELHI-110 001.

R1-R3 BY SRI.K.V.SOHAN, STATE ATTORNEY
R4 BY ADV. ASSISTANT SOLICITOR GENERAL (BY ORDER)

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.986 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 5019/2018 DATED 10-04-2018 OF
HIGH COURT OF KERALA

APPELLANT/S:

- 1 STERLING PRINT HOUSE PVT. LTD.
50/225,MANIMALA ROAD,EDAPALLY, ERNAKULAM-682024,
REPRESENTED BY ITS DIRECTOR SRI.G.VENUGOPAL.
- 2 G.VENUGOPAL, AGED 48 YEARS,
S/O VASUDEVAN GOVINDAN KUTTY NAIR,
RESIDING AT VARSHA,NICE COMPLEX,
MANIMALA ROAD,EDAPALLY,ERNAKULAM-682024.

BY ADV. SRI.NAVOD PRASANNAN PATTALI

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT,GOVERNMENT
SECRETARIAT,THIRUVANANTHAPURAM-695001.
- 2 ASSISTANT LABOUR OFFICER
ERNAKULAM 1ST CIRCLE,CIVIL STATION,KAKKANAD,
KOCHI-682030.
- 3 UNION OF INDIA
REPRESENTED BY ITS SECRETARY,MINISTRY OF LABOUR,
NEW DELHI-110001.

R1-2 BY SRI.K.V.SOHAN, STATE ATTORNEY

R3 BY ADV. ASSISTANT SOLICITOR GENERAL (BY ORDER)

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ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
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W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.987 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 10287/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

- 1 M/S.ZOFTSOLUTIONS PRIVATE LIMITED
THEJUS KARTHIKA BUILDING,
OPP.COCHIN SPECIAL ECONOMIC ZONE,KAKKANAD,
KOCHI-682037,
REPRESENTED BY ITS MANAGING DIRECTOR
DILIP RAMACHANDRAN.
- 2 DILIP RAMACHANDRAN, AGED 37 YEARS
S/O. G. RAMACHANDRAN PILLAI,
RESIDING AT THEJUS KARTHIKA BUILDING,
OPPOSITE COCHIN SPECIAL ECONOMIC ZONE, KAKKANAD,
KOCHI - 682 037.

BY ADV. SRI.NAVOD PRASANNAN PATTALI

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695001.
- 2 ASSISTANT LABOUR OFFICER
ERNAKULAM 1ST CIRCLE,CIVIL STATION,
KAKKANAD,KOCHI - 682030.
- 3 UNION OF INDIA, REPRESENTED BY ITS SECRETARY,
MINISTRY OF LABOUR, NEW DELHI - 110 001.

R1-2 BY SRI.K.V.SOHAN, STATE ATTORNEY

R3 BY ADV. ASSISTANT SOLICITOR GENERAL (BY ORDER)

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ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

W.A.No.988 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 18055/2016 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

KERALA PRIVATE HOSPITALS ASSOCIATION
REPRESENTED BY ITS GENERAL SECRETARY,
SRI.HUSSAIN KOYA THANGAL,
HAVING ITS REGISTERED OFFICE AT T.M.HOSPITAL,
NH-17, CHETTUVA, KUNDALIYUR P.O., THRISSUR,
KERALA-68061.

BY ADVS.
SRI.ADARSH KUMAR
SRI.K.M.ANEESH
SRI.BIJU VARGHESE ABRAHAM
SRI.DILEEP CHANDRAN

RESPONDENT/S:

1 STATE OF KERALA
REPRESENTED BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695001.

2 UNION OF INDIA
REPRESENTED BY ITS SECRETARY,MINISTRY OF LABOUR,
NEW DELHI-110 001.

3 ALL KERALA SECURITY SERVICE EMPLOYEES ASSOCIATION
REPRESENTED BY ITS SECRETARY, MINI MOHAN,
D/O.SASI MOHAN, AGED 41 YEARS, BIJU BHAVAN,
MURUNTHAL, PERINAD P.O., KOLLAM-691601.

R1 BY ADV. SRI.K.V.SOHAN STATE ATTORNEY
R2 BY ADV. ASSISTANT SOLICITOR GENERAL (BY ORDER)
R3 BY ADV. SRI.K.S.MANU (BY ORDER)

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
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W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.989 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 20968/2017 DATED 10-04-2018 OF
HIGH COURT OF KERALA

APPELLANT/S:

- 1 M/S.BRMSCO GARMENTS PVT LTD
ANCHELPETTY, ONAKKUR, PAMPAKUDA, ERNAKULAM-686667,
REPRESENTED BY ITS MANAGING DIRECTOR T.K.VIJAYAN.
- 2 T.K.VIJAYAN
AGED 65 YEARS, S/O.LATE KOCHUVAVA,
RESIDING AT TRIKKAPURATH HOUSE, KANJIRAMATTOM,
AMBALLOOR P.O., ERNAKULAM-682315.

BY ADV. SRI.NAVOD PRASANNAN PATTALI

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695001.
- 2 ASSISTANT LABOUR OFFICER MUVATTUPUZHA
ERNAKULAM-686661.
- 3 UNION OF INDIA
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI-110001

R1-2 BY SRI.K.V.SOHAN, STATE ATTORNEY

R3 BY ADV. SMT.C.G.PREETHA, CGC

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W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.990 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 23217/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

- 1 M/S.SOURA NATURAL ENERGY SOLUTIONS INDIA PVT LTD.,
1ST FLOOR, SNDP BUILDING, CHIRANGARA, KORATTY,
CHALAKUDY, THRISSUR, KERALA-680 309,
REPRESENTED BY ITS MANAGING DIRECTOR SRI.MANOJ M.S.
- 2 MANOJ M.S., AGED 40 YEARS, S/O.M.R.SASEENDRAN NAIR,
RESIDING AT SRAMBIKAL MADOM, PERUMBI SUGATHI ROAD,
PERUMBI, WEST KORATTY P.O., PIN-608 308.

BY ADV. SRI.NAVOD PRASANNAN PATTALI

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001.
- 2 ASSISTANT LABOUR OFFICER CHALAKUDY-680307.
- 3 UNION OF INDIA
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI-110 001.

R1 BY ADV. SRI.K.V.SOHAN STATE ATTORNEY

R1 BY ADV. SRI.H.GOPAKUMAR CGC

R1-2 BY SRI.K.V.SOHAN, STATE ATTORNEY

R3 BY ADV. SRI.H.GOPAKUMAR, CGC

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.992 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 4418/2018 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

- 1 EVM AUTOMOTIVE INDIA PRIVATE LIMITED
II/4D,N.H.BY PASS, OPP.BTH SAROVARAM,
KANNADIKADU, MARADU P.O.,ERNAKULAM 682304,
REPRESENTED BY ITS MANAGING DIRECTOR
SRI SABU JOHNY.
- 2 SABU JOHNY, AGED 48 YEARS, S/O.JOHNY MATHEW,
RESIDING AT FLAT NO.3D, ORCHID COURT APARTMENTS,
PANCHAVADI, VYTILLA P.O., ERNAKULAM 682019.

BY ADV. SRI.NAVOD PRASANNAN PATTALI

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM 695001.
- 2 UNION OF INDIA
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI 110001.
- 3 ASSISTANT LABOUR OFFICER
ERNAKULAM 2ND CIRCLE, CIVIL STATION, KAKKANAD,
KOCHI 682030
- 4 ASSISTANT LABOUR OFFICER
ALAPPUZHA 2ND CIRCLE, MINI CIVIL STATION,
ALAPPUZHA 689121
- 5 ASSISTANT LABOUR OFFICER
2ND CIRCLE KOTTAYAM, LABOUR OFFICE,
VALAPPILLY LINE, KOTTAYAM 686001.

- 6 ASSISTANT LABOUR OFFICER
MAVELIKARA, HARIPAD AISWARYA BUILDING,
MAVELIKKARA, ALAPPUZHA 690 514.
- 7 ASSISTANT LABOUR OFFICER
KAYAMKULAM, MINI CIVIL STATION, KAYAMKULAM,
ALAPPUZHA 690502.
- 8 ASSISTANT LABOUR OFFICER
PERUMBAVOOR, 2ND FLOOR, CIVIL STATION BUILDING,
PERUMBAVOOR P.O., ERNAKULAM 683542.
- 9 ASSISTANT LABOUR OFFICER
MUVATTUPUZHA, ERNAKULAM 686661
- 10 ASSISTANT LABOUR OFFICER
KOTHAMANGALAM, ERNAKULAM - 686688
- 11 ASSISTANT LABOUR OFFICER
NEDUMKANDAM, IDUKKI 685553.
- 12 ASSISTANT LABOUR OFFICER
THODUPUZHA, IDUKKI 685584.

R1 BY ADV. SRI.K.V.SOHAN STATE ATTORNEY
R1, R3-12 BY SRI.K.V.SOHAN, STATE ATTORNEY
R2 BY ADV. SRI.ANISH JAIN, CGC

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1021 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 12779/2018 DATED 11-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

- 1 EVM AUTOKRAFT INDIA PRIVATE LIMITED,
NEW NO. OLD NO. 36/2, 1ST FLR, CUDDALO,
THAVALAKUPPAM, ARIYANKUPPAM, COMMUNE, PONDICHERRY,
PONDICHERRY, INDIA, 605 007.
REPRESENTED BY ITS MANAGING DIRECTOR
SRI.SABU JOHNY.
- 2 SABU JOHNY
AGED 48 YEARS, S/O. JOHNY MATHEW,
RESIDING AT FLAT NO. 3D,ORCHID COURT APPARTMENTS,
PANCHAVADI, VYTILLA P.O, ERNAKULAM 582 019.

BY ADV. SMT.R.MANEESHA

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001.
- 2 UNION OF INDIA
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI- 110 001.
- 3 ASSISTANT LABOUR OFFICER
ERNAKULAM SECOND CIRCLE, 4TH FLOOR, CIVIL STATION,
KAKKANAD 682 030.

R1, R3 BY SRI.K.V.SOHAN, STATE ATTORNEY

R2 BY ADV. SRI.HARIDAS P.NAIR, CGC

R3 BY GOVERNMENT PLEADER

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1042 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 9528/2018
OF HIGH COURT OF KERALA

APPELLANT/S:

- 1 EVM AUTOMOBILES PRIVATE LTD.
II/4D,N.H.BYPASS,OPP.BTH SAROVARAM,
KANNADIKKADU,MARADU.P.O,ERNAKULAM-682304,
REPRESENTED BY ITS MANAGING DIRECTOR
SRI.SABU JOHNY.
- 2 SABU JOHNY, AGED 48 YEARS,S/O JOHNY MATHEW,
RESIDING AT FLAT NO.3D,ORCHID COURT APARTMENTS,
PANCHAVADI,VYTILLA.P.O,ERNAKULAM-582019.

BY ADV. SMT.R.MANEESHA.

RESPONDENT/S:

- 1 THE STATE OF KERALA
REPRESENTED BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT,THIRUVANANTHAPURAM-695001.
- 2 UNION OF INDIA
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI-110001.
- 3 ASSISTANT LABOUR OFFICER
1ST CIRCLE,CIVIL STATION,KOZHIKODE-673020.
- 4 ASSISTANT LABOUR OFFICER
NORTH KALPATTA.P.O,CIVIL STATION,WAYANAD.

W.A.979 of 2018 &
connected cases.

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5 ASSISTANT LABOUR OFFICER
FAROOQUE, KOZHIKODE-673631.

6 ASSSITANT LABOUR OFFICER
THAMARASSERY, KOZHIKODE-673573.

R1, R3, R6 BY GOVERNMENT PLEADER (B/O),
SRI.K.V.SOHAN STATE ATTORNEY (B/O)
R2 BY ADV. A.S.G.I (B/O)
R4-5 BY GOVERNMENT PLEADER (B/O)

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1077 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 40566/2016 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

M/S.V.GUARD INDUSTRIES LTD,
CORP OFFICE VENNALA HIGH SCHOOL ROAD, VENNALA,
KOCHI - 682 028, REPRESENTED BY ITS DIRECTOR,
ADMINISTRATION K. VIJAYAN.

BY ADVS.
SRI.P.BENNY THOMAS
SRI.D.PREM KAMATH

RESPONDENT/S:

- 1 STATE OF KERALA, REPRESENTED BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.
- 2 ASSISTANT LABOUR OFFICER
1ST CIRCLE, KAKKANAD - 682 030.
- 3 UNION OF INDIA
REPRESENTED BY ITS SECRETARY, MINISTRY OF
LABOUR,NEW DELHI - 110 001.

R1-2 BY SRI.K.V.SOHAN, STATE ATTORNEY
R3 BY ASSISTANT SOLICITOR GENERAL

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1079 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 1382/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

M/S UAE EXCHANGE & FINANCIAL SERVICES
1ST FLOOR, AIRLINES BUILDING, MG. ROAD,
ERNAKULAM-682011,
REPRESENTED BY MS SREEJA INDIRA, LEGAL HEAD.

BY ADVS.
SRI.P.BENNY THOMAS
SRI.D.PREM KAMATH

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695001.
- 2 ASSISTANT LABOUR OFFICER
1ST CIRCLE, CIVIL STATION, ERNAKULAM-682030.
- 3 UNION OF INDIA
REPRESENTED BY ITS SECRETARY,
MINISTRY OF LABOUR, NEW DELHI-110001.

R1-2 BY SRI.K.V.SOHAN, STATE ATTORNEY
R3 BY ASSISTANT SOLICITOR GENERAL

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1080 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 7308/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

M/S.MAHINDRA AND MAHINDRA FINANCIAL SERVICES LTD
REGIONAL OFFICE, 2ND FLOOR, NOEL HOUSE,
THRIKKAKARA P.O,KAKKANAD, KOCHI - 682 021,
REPRESENTED BY ITS AUTHORIZEDSIGNATORY,
MR. U. BIJURAJ.

BY ADVS.
SRI.P.BENNY THOMAS
SRI.D.PREM KAMATH

RESPONDENT/S:

- 1 STATE OF KERALA, REPRESENTED BY ITS SECRETARY,
LABOUR AND WELFATEDEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.
- 2 ASSISTANT LABOUR OFFICER
NEYYATTINKARA - 695 001.
- 3 UNION OF INDIA
REPRESENTED BY ITS SECRETARY,
MINISTRY OF LABOUR, NEW DELHI - 110 001.

R1-2 BY SRI.K.V.SOHAN, STATE ATTORNEY
R3 BY ADV. SRI.ANISH JAIN, CGC

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1115 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 29125/2016 DATED 10-04-2018 OF
HIGH COURT OF KERALA

APPELLANT/S:

- 1 THE CATHOLIC HOSPITAL ASSOCIATION OF INDIA
KERALA UNIT, PASTORAL ORIENTATION CENTRE,
PALARIVATTOM, KOCHI-682028,
REP. BY ITS EXECUTIVEDIRECTOR-FR. SIMON PALLUPETTA.
- 2 LOURDE HOSPITAL, PACHALAM, KOCHI, PIN-682012,
REPRESENTED BY ITS PRESENT DIRECTOR,
FR. SHAIJU THOPPIL.

BY ADVS.
SRI.ISSAC M.PERUMPILLIL
SRI.JIJO PAUL KALLOOKKARAN

RESPONDENT/S:

- 1 THE UNION OF INDIA
REP. BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI-110001.
- 2 THE STATE OF KERALA, REP. BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695001.

R1 BY SRI.T.V.VINU, CGC
R1 BY ADV. SRI.T.V.VINU CGC
R2 BY ADV. SRI.K.V. SOHAN, STATE ATTORNEY (B/O)

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1123 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 22517/2017 DATED 10-04-2018 OF
HIGH COURT OF KERALA

APPELLANT/S:

M/S. BRIDGESTONE INDIA PRIVATE LIMITED,
CORPORATE IDENTITY NUMBER U25111PN1996PTC147267,
PLOT NO.A43, PHASE-II, MIDC CHAKAN, SAWARDARI
VILLAGE, KHED TALUKA, PUNE, MAHARASHTRA-410501,
REPRESENTED BY ITS REGIONAL SALES MANAGER
MR. SUNIL KUMAR G.

BY ADVS.
SRI.ISSAC M.PERUMPILLIL
SRI.JIJO PAUL KALLOKKARAN

RESPONDENT/S:

- 1 THE UNION OF INDIA,
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI-110001.
- 2 THE STATE OF KERALA, REPRESENTED BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT, GOVERNMENT
SECRETARIAT, THIRUVANANTHAPURAM-695001.

R1 BY ADV. CGC
R2 BY ADV. SRI.K.V.SOHAN, STATE ATTORNEY

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1137 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 20684/2017 DATED 10-04-2018 OF
HIGH COURT OF KERALA

APPELLANT/S:

M/S. CANARA ROBEKO ASSET MANAGEMENT COMPANY LIMITED
CORPORATE IDENTITY NUMBER U65990MH1993PLCO71003
CONSTRUCTION HOUSE,4TH FLOOR, 5, W.H.MARG,
BALLARD ESTATE, MUMBAI-400001,
REP.BY ITS, CLUSTER HEAD-SALES,KERALA,
C.R. VENKITACHALAM.

BY ADVS.
SRI.ISSAC M.PERUMPILLIL
SRI.JIJO PAUL KALLOOKKARAN

RESPONDENT/S:

- 1 THE UNION OF INDIA
REP. BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI-110001.
- 2 THE STATE OF KERALA
REP. BY ITS SECRETARY,
LABOUR & WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695001.

R1 BY ASSISTANT SOLICITOR GENERAL
R2 BY ADV. SRI.K.V.SOHAN, STATE ATTORNEY

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1141 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 20622/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

M/S. YUM RESTAURANTS (INDIA) PVT. LTD.
CORPORATE IDENTITY NUMBER,
U74899DL1994PTC057894, 12TH & 14TH FLOOR, TOWER D,
GLOBAL BUSINESS PARKM.G ROAD, GURGAON- 122 002.
REP. BY ITS PEOPLE CAPABILITY LEADER,
KRISHNADAS NARAYANAN NAIR.

BY ADVS.
SRI.ISSAC M.PERUMPILLIL
SRI.JIJO PAUL KALLOKKARAN

RESPONDENT/S:

- 1 THE UNION OF INDIA
REP. BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI- 110 001.
- 2 THE STATE OF KERALA, REP. BY ITS SECRETARY,
LABOUR & WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM- 695 001.

R1 BY SMT.SREEKALA K.L., CGC
R2 BY ADV. SRI.K.V.SOHAN, STATE ATTORNEY

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1169 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 8415/2017 DATED 10-04-2018 OF
HIGH COURT OF KERALA

APPELLANT/S:

MANAPPURAM FINANCE LIMITED
MANAPPURAM HOUSE, VALAPPAD,
THRISSUR DISTRICT,PIN - 680 567,
REPRESENTED BY ITS AUTHORISED SIGNATORY,
MANAGER LEGAL.

BY ADVS.
SRI.R.BINDU (SASTHAMANGALAM)
SRI.PRASANTH M.P

RESPONDENT/S:

1 STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
LABOUR AND WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM, PIN - 695 001.

2 UNION OF INDIA
REPRESENTED BY THE SECRETARY,
MINISTRY OF LABOUR,NEW DELHI - 110 001.

R1 BY ADV. SRI.K.V.SOHAN, STATE ATTORNEY
R2 BY ADV. SRI.M.A.VINOD, CGC

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1170 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 28742/2017
OF HIGH COURT OF KERALA

APPELLANT/S:

MANAPPURAM HOME FINANCE LIMITED
(FORMERLY MANAPPURAM HOME FINANCE PRIVATE LIMITED),
MANAPPURAM HOUSE, VALAPPAD,
THRISSUR DISTRICT, PIN- 680 567.
REPRESENTED BY ITS AUTHORISED SIGNATORY,VIJEESH V,
ASSISTANT GENERAL MANAGER,THRISSUR BRANCH.

BY ADVS.
SRI.R.BINDU (SASTHAMANGALAM)
SRI.PRASANTH M.P

RESPONDENT/S:

- 1 THE STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
LABOUR AND WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM,
PIN 695 001.
- 2 UNION OF INDIA
REPRESENTED BY THE SECRETARY,MINISTRY OF LABOUR,
NEW DELHI 110 001.

R1 BY ADV. SRI.K.V.SOHAN STATE ATTORNEY
R2 BY ADV. CENTRAL GOVERNMENT COUNSEL (BY ORDER)

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1171 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 11178/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

M/S. MABEN NIDHI LIMITED
REGISTERED OFFICE,BUILDING NO. V/421,
NEAR HIGH SCHOOL JUNCTION, VALAPPAD,
THRISSUR DISTRICT, PIN - 680 567,
REPRESENTED BY ITS AUTHORISED SIGNATORY,
LEGAL MANAGER.

BY ADVS.
SRI.R.BINDU (SASTHAMANGALAM)
SRI.PRASANTH M.P

RESPONDENT/S:

- 1 STATE OF KERALA`
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
LABOUR AND WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM, PIN - 695 001.
- 2 UNION OF INDIA
REPRESENTED BY THE SECRETARY,
MINISTRY OF LABOUR,NEW DELHI - 110 001.

R1 BY SRI.K.V.SOHAN, STATE ATTORNEY
R1-2 BY ASSISTANT SOLICITOR GENERAL

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1172 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 6250/2017 DATED 10-04-2018 OF
HIGH COURT OF KERALA

APPELLANT/S:

M/S GEOJIT TECHNOLOGIES PVT LTD
9TH FLOOR, GEOJIT BNP PARIBAS BUILDING, 34/659-P,
CIVIL LINE ROAD, PADIVATTOM, KOCHI - 682 024.
REPRESENTED BY ITS MANAGING DIRECTOR,
A BALAKRISHNAN.

BY ADVS.
SRI.P.BENNY THOMAS
SRI.D.PREM KAMATH

RESPONDENT/S:

- 1 STATE OF KERALA, REPRESENTED BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.
- 2 ASSISTANT LABOUR OFFICER
1ST CIRCLE, CIVIL STATION, ERNAKULAM - 682 030.
- 3 UNION OF INDIA
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI - 110 001.

R1-2 BY SRI.K.V.SOHAN, STATE ATTORNEY
R1 BY ADV. SRI.K.V.SOHAN STATE ATTORNEY
R3 BY ADV. SRI.SUVIN R.MENON, CGC

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1173 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 33291/2017 OF HIGH COURT OF
KERALA

APPELLANT/S:

RAMA VARMA CLUB
CLUB ROAD, ERNAKULAM, COCHIN- 682 011
REPRESENTED BY ITS HONORARY SECRETARY
T.G BALAKRISHNAN NAIR.

BY ADVS.
SRI.P.BENNY THOMAS
SRI.D.PREM KAMATH

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM 695 001.
- 2 ASSISTANT LABOUR OFFICER
IIND CIRCLE, CIVIL STATION, KAKKANAD, KOCHI 682 030
- 3 UNION OF INDIA
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI 110 001.

R1 BY ADV. SRI.K.V.SOHAN STATE ATTORNEY
R3 BY ASSISTANT SOLICITOR GENERAL
R2 BY STATE ATTORNEY

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1174 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 725/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

M/S.VISION MOTORS PVT. LTD.
KUTTUKARAN CENTRE, MAMANGALAM, ERNAKULAM,
KOCHI - 682 025.
REPRESENTED BY ITS MANAGER (HR & ADMINISTRATION)
MR. PRASAD S.

BY ADVS.
SRI.P.BENNY THOMAS
SRI.D.PREM KAMATH

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT, GOVERNMENT
SECRETARIAT, THIRUVANANTHAPURAM - 695 001.
- 2 ASSISTANT LABOUR OFFICER
2ND CIRCLE, CIVIL STATION, KOZHIKODE - 673 020.
- 3 UNION OF INDIA
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI - 110 001.

R1-2 BY SRI.K.V.SOHAN, STATE ATTORNEY
R1 BY ADV. SRI.K.V.SOHAN STATE ATTORNEY
R3 BY ASSISTANT SOLICITOR GENERAL

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1176 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 34496/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

COCHIN INTERNATIONAL AVIATION SERVICES LTD.
XI/318E, COCHIN INTERNATIONAL AIRPORT BUILDING,
KOCHI AIRPORT, NEDUMBASSERY, ERNAKULAM - 683 111.
REPRESENTED BY ITS MANAGING DIRECTOR
MR. A.CHANDRAKUMARAN NAIR.

BY ADVS.
SRI.P.BENNY THOMAS
SRI.D.PREM KAMATH

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.
- 2 ASSISTANT LABOUR OFFICER
ANGAMALY, COCHIN - 683 572.
- 3 UNION OF INDIA
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI - 110 001.

R1-2 BY SRI.K.V.SOHAN, STATE ATTORNEY
R1 BY ADV. SRI.K.V.SOHAN STATE ATTORNEY
R3 BY ASSISTANT SOLICITOR GENERAL

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

- 34 -

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1177 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 5365/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

M/S.GEOJIT FINANCIAL SERVICES LTD
(FORMERLY KNOWN AS GEOJIT BNP PARIBAS FINANCIAL
SERVICES LTD.) REG. OFFICE -34/659P,
CIVIL LINE ROAD, PADIVATTOM, KOCHI -682 024,
REPRESENTED BY ITS HEAD OF HUMAN RESOURCES,
JAYA JACOB ALEXANDER.

BY ADVS.
SRI.P.BENNY THOMAS
SRI.D.PREM KAMATH

RESPONDENT/S:

- 1 STATE OF KERALA, REPRESENTED BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM -695 001.
- 2 ASSISTANT LABOUR OFFICER
1ST CIRCLE, CIVIL STATION, ERNAKULAM -682 030.
- 3 UNION OF INDIA
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI -110 001.

R1-2 BY SRI.K.V.SOHAN, STATE ATTORNEY
R1 BY ADV. SRI.K.V.SOHAN STATE ATTORNEY
R3 BY ASSISTANT SOLICITOR GENERAL

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1187 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 39727/2016 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

HYSON MOTORS PRIVATE LIMITED
RAYAS COMPLEX, SANKARA IYER ROAD,
THRISSUR, REPRESENTED BY ITS DIRECTOR ABDU.

BY ADVS.
SRI.K.K.PREMALAL
SRI.VISHNU JYOTHIS LAL

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
LABOUR AND SKILLS DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001.
- 2 UNION OF INDIA
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI 110 001.
- 3 VINOD KUMAR P
HYSON MOTORS PRIVATE LIMITED, RAYS COMPLEX,
SANKARA IYER ROAD, THRISSUR.

R1 BY SRI.K.V.SOHAN, STATE ATTORNEY
R2 BY ADV. SRI.B.PREMKUMAR, CGC (BY ORDER)

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1189 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 23352/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

IDEA CELLULAR LTD
V.J.TOWER, VYTTILA, COCHIN - 682 019,
REPRESENTED BY ITS AGM-LEGAL & REGULATORY,
MR.RAJKUMAR PAVOTHIL.

BY ADVS.
SRI.E.K.NANDAKUMAR (SR.)
SRI.M.GOPIKRISHNAN NAMBIAR
SRI.P.GOPINATH (SR.)
SRI.K.JOHN MATHAI
SRI.JOSON MANAVALAN
SRI.KURRYAN THOMAS
SRI.PAULOSE C. ABRAHAM

RESPONDENT/S:

STATE OF KERALA
REPRESENTED BY ITS SECRETARY,
LABOUR AMP SKILLS (E) DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.

R1 BY SRI.K.V.SOHAN, STATE ATTORNEY

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1190 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 40955/2016 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

HYSON AUTO SALES PRIVATE LIMITED
TC 9/275-9, NH 47 BYE PASS, KUTTANELLUR,
THRISSUR-680014. REPRESENTED BY ITS DIRECTOR ABDU.

BY ADVS.
SRI.K.K.PREMALAL
SRI.VISHNU JYOTHIS LAL

RESPONDENT/S:

1 STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
LABOUR AND SKILLS DEPARTMENT,
GOVERNMENTSECRETARIAT, THIRUVANANTHAPURAM-695 001.

2 UNION OF INDIA
REPRESENTED BY ITS SECRETARY,
MINISTRY OF LABOUR,NEW DELHI-110 001.

3 LITHIN M.N
HYSON AUTO SALES PRIVATE LIMITED,
TC 9/275-9,KUTTANELLUR, THRISSUR-680 014.

R1 BY SRI.K.V.SOHAN, STATE ATTORNEY
R2 BY ADV. SMT.SREEKALA K.L., CGC

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1191 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 11192/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

AYURVEDA HOSPITAL MANAGEMENT ASSOCIATION
AYSWARYA HOSPITAL, PUKKATTUPADY, ALUVA-683 561,
REPRESENTED BY ITS GENERAL SECRETARY
DR.C.S.KRISHNAKUMAR.

BY ADVS.
SRI.K.K.PREMALAL
SRI.VISHNU JYOTHIS LAL

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
LABOUR & SKILLS DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.
- 2 UNION OF INDIA, REPRESENTED BY ITS SECRETARY,
MINISTRY OF LABOUR, NEW DELHI-110 001.

R1 BY ADV. SRI.K.V.SOHAN STATE ATTORNEY
R2 BY ADV. B.PREMKUMAR,CGC (B/O)

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1192 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 7379/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

SILVER STORM AMUSEMENT PARTKS (P) LTD
VETTELAPPARA, P.O. CHALAKUDY, THRISSUR DISTRICT,
REPRESENTED BY ITS MANAGING DIRECTOR, A.I.SHALIMAR.

BY ADVS.
SRI.K.K.PREMALAL
SRI.VISHNU JYOTHIS LAL

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY SECRETARY TO GOVERNMENT,
LABOUR AND SKILLS DEPARTMENT,
GOVERNMENTSECRETARIAT, THIRUVANANTHAPURAM-695 001.
- 2 UNION OF INDIA, REPRESENTED BY ITS SECRETARY,
MINISTRY OF LABOUR,NEW DELHI-110001.
- 3 RAMACHANDRAN K
SILVER STORM AMUSEMENT PARKS (P) LTD.,VETTELAPPARA,
P.O.CHALAKUDY, THRISSUR DISTRICT.

R1 BY ADV. SRI.K.V.SOHAN STATE ATTORNEY
R2 BY ADV. B.PREMKUMAR,CGC (B/O)

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1193 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 5659/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

- 1 PARADIGM IT PVT LTD.
28/2373C, CHILAVANOOR ROAD, ELAMKULAM,
KOCHI-682020, KERALA, INDIA.
- 2 PARADIGM TECHNOLOGIES PRIVATE LIMITED
28/2373C, CHILAVANOOR ROAD, ELAMKULAM,
KOCHI-682020, KERALA, INDIA.

BY ADVS.
SRI.VARGHESE K.PAUL
SRI.ANITH JAMES
SMT.BINDHU ANTONY
SRI.VINEED ABRAHAM

RESPONDENT/S:

- 1 THE UNION OF INDIA
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI-110001.
- 2 THE STATE OF KERALA
REP. BY ITS SECRETARY, LABOUR & WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANATHAPURAM-695001.

R1 BY ADV. ASGI (B/O)
R2 BY ADV. SRI.K.V.SOHAN, STATE ATTORNEY

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1195 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 22122/2017 OF HIGH COURT OF
KERALA

APPELLANT/S:

QUESS CORP LTD. (A PUBLIC LIMITED COMPANY),
HAVING REGISTERED OFFICE AT QUESS HOUSE,
3/3/2, BELLANDUR GATE, SARJAPUR ROAD,
BANGALORE-560103,
REPRESENTED BY IT'S VICE PRESIDENT & COMPANY
SECRETARY, SUDERSHAN PALLAP, QUESS HOUSE, 3/3/2,
BELLANDUR GATE, SARJAPUR ROAD, BANGALORE-560103.

BY ADV. SRI.P.M.MOHAMMED SHIRAZ

RESPONDENT/S:

1 STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT OF KERALA,
DEPARTMENT OF LABOUR AND SKILLS,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695001.

2 THE LABOUR COMMISSIONER,
VIKAS BHAVAN, THIRUVANANTHAPURAM-695001.

R1-2 BY SRI.K.V.SOHAN, STATE ATTORNEY
R1-2 BY GOVERNMENT PLEADER (B/O)

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1198 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 10926/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

ST. ANTONY'S JEWELLERY WORKS
CHARUVATHERY,CHEVOOR.P.O, THRISSUR-680027,
REPRESENTED BY ITS MANAGING PARTNER,
JOSEPH THOMAS.

BY ADVS.
SRI.K.K.PREMALAL
SRI.VISHNU JYOTHIS LAL

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
LABOUR & SKILLS DEPARTMENT,
GOVERNMENT SECRETARIAT,THIRUVANANTHAPURAM-695001.
- 2 UNION OF INDIA
REPRESENTED BY ITS SECRETARY,MINISTRY OF LABOUR,
NEW DELHI-110001.
- 3 M.RASHEED
ST.ANTONY'S JEWELLERY WORKS,
CHERUVATHERY,CHEVOOR.P.O,THRISSUR-680027.

R1 BY ADV. SRI.K.V.SOHAN STATE ATTORNEY
R2 BY ASSISTANT SOLICITOR GENERAL (B/O)

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1199 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 2457/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

KONDODY HOTELS & RESORTS INDIA PVT.LTD.
(GREEN WOODS RESORTS), DOOR NO:2/595, D1,
K.K.ROAD, KUMILY, IDUKKI-685509,
REPRESENTED BY ITS MANAGING DIRECTOR, RAHUL TOM.

BY ADVS.
SRI.K.K.PREMALAL
SRI.VISHNU JYOTHIS LAL

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
LABOUR & SKILLS DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695001.
- 2 UNION OF INDIA
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI-110001.
- 3 MR.DILEEP CHANDRAN
KONDODY HOTELS & RESORTS INDIA PVT LTD.,
(GREEN WOODS RESORTS), DOOR NO.2/595, D1,
K.K.ROAD, KUMILY, IDUKKI-685509.

R1 BY ADV. SRI.K.V.SOHAN STATE ATTORNEY
R2 BY ADV. ASGI (B/O)

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1200 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 20934/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

NANDANAM SANITARIES
PUZHAKKAL (H.O), DOOR NO.VI/74,
SREEDHARMASATHA BUILDING, PUZHAKKAL PO.,
THRISSUR, PIN-680553,
REPRESENTED BY ITS PROPRIETOR, SANDEEP M.

BY ADVS.
SRI.K.K.PREMALAL
SRI.VISHNU JYOTHIS LAL

RESPONDENT/S:

1 STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
LABOUR & SKILLS DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695001.

2 UNION OF INDIA
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI-110001.

R1 BY ADV. SRI.K.V.SOHAN STATE ATTORNEY
R2 BY ADV. ASGI(B/O)

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1207 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 14181/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

M/S. CHOLAMANDALAM INVESTMENT AND FINANCE COMPANY
LIMITED
CORPORATE IDENTITY NUMBER L65993 TN 1978PLCOO7576,
DARE HOUSE, NO. 2 N.S.C.BOSE ROAD, PARRYS, CHENNAI,
TAMIL NADU, PIN - 600001,
REP.BY ITS EXECUTIVE VICE PRESIDENT & HEAD,
HUMAN RESOURCES, R. CHANDRASEKAR.

BY ADVS.
SRI.ISSAC M.PERUMPILLIL
SRI.JIJO PAUL KALLOOKKARAN

RESPONDENT/S:

1 THE UNION OF INDIA
REP.BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI - 110 001.

2 THE STATE OF KERALA
REP.BY ITS SECRETARY, LABOUR AND WELFARE
DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.

R1 BY ASSISTANT SOLICITOR GENERAL
R2 SRI.K.V.SOHAN, STATE ATTORNEY

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1208 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 5025/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

AABASOFT TECHNOLOGIES INDIA PVT. LTD.
GROUND FLOOR, VISMAYA INFOPARK, KAKKANAD,
ERNAKULAM - 682 042,
REPRESENTED BY ITS MANAGING DIRECTOR,
MR. SUJAS ALI, AGED 40 YEARS, S/O. MR.A. SHAMSU,
RESIDING AT PASHA VILLA, LAJANATH WARD,
ALAPPUZHA - 688 001.

BY ADVS.
SRI.VARGHESE K.PAUL
SRI.ANITH JAMES
SMT.BINDHU ANTONY
SRI.VINEED ABRAHAM

RESPONDENT/S:

- 1 THE UNION OF INDIA
REP.BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI - 110 001.
- 2 STATE OF KERALA, REP.BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.

R1 BY ADV. ASSISTANT SOLICITOR GENERAL(B/O) ,
SMT.MINI GOPINATH, CGC
R2 BY SRI.K.V.SOHAN, STATE ATTORNEY

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1209 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 8207/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

ASSISI HOLISTIC RESEARCH CENTRE
PANAVALLY, THRICHTTUKULAM, CHERTHALA,
ALAPPUZHA-688581,
REPRESENTED BY ITS ADMINISTRATOR SR.DACIOUS.

BY ADVS.
SRI.ISSAC M.PERUMPILLIL
SRI.JIJO PAUL KALLOOKKARAN

RESPONDENT/S:

- 1 THE UNION OF INDIA
REP.BY ITS SECRETARY,MINISTRY OF LABOUR,
NEW DELHI-110001.
- 2 THE STATE OF KERALA, REP.BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695001.

R1 BY ADV. ASSISTNAT SOLICITOR GENERAL (B/O) ,
SRI.SUVIN R.MENON, CGC
R2 BY SRI.K.V.SOHAN, STATE ATTORNEY

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

- 48 -

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1210 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 518/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

PERFECT ENGINEERS & CONTRACTORS
EL 39/1198/PMC, ROBINSON ROAD, PALAKKAD - 678 014,
REPRESENTED BY ITS PARTNER M.SAJEEVAN.

BY ADVS.
SRI.K.K.PREMALAL
SRI.VISHNU JYOTHIS LAL

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
LABOUR AND SKILLS DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM -695
001.
- 2 UNION OF INDIA
REP.BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI - 110 001.
- 3 BHAGYALAKSHMY
PERFECT ENGINEERS & CONTRACTORS, EL 39/1198/PMC,
ROBINSON ROAD, PALAKKAD - 678 014.

R1 BY ADV. SRI.K.V.SOHAN, STATE ATTORNEY
R2 BY ADV. ASSISTANT SOLICITOR GENERAL(B/O)
R2 BY ADV. SRI.SUVIN R.MENON CGC

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

- 49 -

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1212 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 40953/2016 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

GEORGE & COMPANY
DOOR NO. 9/325/1 & 2, PUTHUR ROAD, KUTTANELLUR,
THRISSUR - 680 014.
REPRESENTED BY ITS MANAGING PARTNER A.G. BIJU.

BY ADVS.
SRI.K.K.PREMALAL
SRI.VISHNU JYOTHIS LAL

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
LABOUR & SKILLS DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.
- 2 UNION OF INDIA
REP.BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI - 110 001.
- 3 PAUL ALUKKA
GEORGE & COMPANY, DOOR NO. 9/325/1 & 2,
PUTHUR ROAD, KUTTANELLUR, THRISSUR - 680 014.

R1 BY SRI.K.V.SOHAN, STATE ATTORNEY
R2 BY ADV. SRI.RAJAGOPALAN.A., CGC

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

- 50 -

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1215 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 29837/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

M/S ASIAN PAINTS LIMITED
CIN NO. L24220MH1945PLC004598, 6A SHANTI NAGAR
SANTACRUZ E, MUMBAI, MAHARASHTRA, 400055,
REP.BY ITS AREA MANAGER-SANDEEP CHANDRASEKARAN.

BY ADVS.
SRI.ISSAC M.PERUMPILLIL
SRI.JIJO PAUL KALLOOKKARAN

RESPONDENT/S:

- 1 THE UNION OF INDIA
REP.BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI - 110 001.
- 2 THE STATE OF KERALA
REP.BY ITS SECRETARY, LABOUR & WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.

R1 BY ASSISTANT SOLICITOR GENERAL
R2 BY ADV. SRI.K.V.SOHAN, STATE ATTORNEY

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

- 51 -

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1216 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 25461/2017 DATED 10-04-2018 OF
HIGH COURT OF KERALA

APPELLANT/S:

- 1 THE KERALA ELECTRIC TRADES ASSOCIATION
CHITTOOR ROAD, ERNAKULAM, KOCHI - 682 016,
REP.BY ITS PRESIDENT, SHRI. E.G. GEORGE.
- 2 M.C. JOLLY
KATSON TRADERS, BANERJI ROAD, HIGH COURT JUNCTION,
ERNAKULAM - 682 031.

BY ADVS.
SRI.ISSAC M.PERUMPILLIL
SRI.JIJO PAUL KALLOOKKARAN

RESPONDENT/S:

- 1 THE UNION OF INDIA
REP.BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI - 110 001.
- 2 THE STATE OF KERALA
REP.BY ITS SECRETARY, LABOUR & WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.

R1 BY ASSISTANT SOLICITOR GENERAL
R2 BY ADV. SRI.K.V.SOHAN, STATE ATTORNEY

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1217 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 4626/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

M/S POPULAR MOTOR WORLD PRIVATE LIMITED
33/2361 A, GEETHANJALI SHOP, N.H BYPASS,
VYTTILA P.O., KOCHI - 682 019.
REPRESENTED BY ITS VICE PRESIDENT,
MR. SUJITH CHANDRAN.

BY ADVS.
SRI.P.BENNY THOMAS
SRI.D.PREM KAMATH

RESPONDENT/S:

- 1 STATE OF KERALA, REPRESENTED BY SECRETARY,
LABOUR AND WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.
- 2 ASSISTANT LABOUR OFFICER, ERNAKULAM - 682 030.
- 3 UNION OF INDIA
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI - 110 001.

R1-2 BY SRI.K.V.SOHAN, STATE ATTORNEY
R3 BY ADV. SHRI.P.VIJAYAKUMAR, ASG OF INDIA

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1219 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 5666/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

NEOGEN FOOD ANIMAL SECURITY (INDIA) PVT. LTD.
POONITHURA, KOCHI - 38, KERALA, INDIA,
REPRESENTED BY ITS RESIDENT DIRECTOR,
MR. ROBERT ANTHONY CREASMAN, AGED 37 YEARS,
S/O. ANTHONY NEAL CREASMAN,
RESIDING AT APARTMENT 6A, NEDUNGADAN RESIDENCY.

BY ADVS.
SRI.VARGHESE K.PAUL
SRI.ANITH JAMES
SMT.BINDHU ANTONY
SRI.VINEED ABRAHAM

RESPONDENT/S:

- 1 THE UNION OF INDIA
REP.BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI - 110 001.
- 2 THE STATE OF KERALA, REP.BY ITS SECRETARY,
LABOUR & WELFARE DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.

R1 BY ADV. ASSISTANT SOLICITOR GENERAL (BY ORDER)
R2 BY ADV. SRI.K.V.SOHAN, STATE ATTORNEY

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

- 54 -

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1220 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 726/2017 OF HIGH COURT OF
KERALA

APPELLANT/S:

M/S. POPULAR MEGA MOTORS (INDIA) PVT. LTD.
KUTTUKARAN CENTRE, MAMANGALAM, ERNAKULAM,
KOCHI-682025,
REPRESENTED BY ITS HR MANAGER, MR.ROY THOMAS.

BY ADVS.
SRI.P.BENNY THOMAS
SRI.D.PREM KAMATH

RESPONDENT/S:

- 1 THE STATE OF KERALA
REPRESENTED BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT, GOVERNMENT
SECRETARIAT, THIRUVANANTHAPURAM-695 001.
- 2 ASSISTANT LABOUR OFFICER
2ND CIRCLE, VELLAPPALLY LANE, KOTTAYAM-686 091.
- 3 UNION OF INDIA
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI- 110 001.

R1-R2 BY SRI.K.V.SOHAN, STATE ATTORNEY
R3 BY ASSISTANT SOLICITOR GENERAL

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

- 55 -

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1224 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 40956/2016 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

POTHAN & POTHAN AUTOMOBILES PVT LTD.
DELTA TOWER, THANA, KANNUR-670 012.

BY ADVS.
SRI.K.K.PREMALAL
SRI.VISHNU JYOTHIS LAL

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
LABOUR & SKILLS DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695 001.
- 2 UNION OF INDIA
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI-110 001.
- 3 SUJITH SUKUMAR
POTHAN & POTHAN AUTHOMOBILES PVT. LTD.,
DELTA TOWER, THANA, KANNUR-670 012.

R1 BY ADV. SRI.K.V.SOHAN, STATE ATTORNEY
R2 BY ASSISTANT SOLICITOR GENERAL

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1225 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 517/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

TRAVANCORE MEDICAL COLLEGE
MEDICITY, NH BYEPASS,
THATTAMALA P.O., KOLLAM-691 020,
REPRESENTED BY ITS EXECUTIVE DIRECTOR
RAMEES A SALAM.

BY ADVS.
SRI.K.K.PREMALAL
SRI.VISHNU JYOTHIS LAL

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
LABOUR & SKILLS DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695 001.
- 2 UNION OF INDIA
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI-110 001.
- 3 SINI RAJ
TRAVANCORE MEDICAL COLLEGE, MEDICITY, NH BYEPASS,
THATTAMALA P.O., KOLLAM-691020.

R1 BY ADV. SRI.K.V.SOHAN, STATE ATTORNEY
R2 BY ADV. SRI.K.A.BALAN, CGC

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1233 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 10059/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

INDEL MONEY PVT.LTD.
THIRD FLOOR, INDEL HOUSE, CHANGAMPUZHA NAGAR,
SOUTHKALAMASSERY, KOCHI - 682 033
REPRESENTED BY ITS DIRECTORMR. SALIL VENU.

BY ADVS.
SRI.P.BENNY THOMAS
SRI.D.PREM KAMATH

RESPONDENT/S:

- 1 STATE OF KERALA, REPRESENTED BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.
- 2 ASSISTANT LABOUR OFFICER
NEYYATTINKARA - 695 123.
- 3 UNION OF INDIA
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI - 110 001.

R1-R2 BY SRI.K.V.SOHAN, STATE ATTORNEY
R3 BY ASSISTANT SOLICITOR GENERAL

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1234 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 1905/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

- 1 LAMIYA SILKS
TRIPRAYAR, PIN-680566,
REPRESENTED BY ITS MANAGING PARTNER, MOHAMED ASHIK.
- 2 LAMIYA SILKS,
PARAVOOR, PIN-683513,
REPRESENTED BY ITS MANAGING PARTNER, MOHAMED ASHIK.
- 3 LAMIYA SILKS,
KUNNAMANGALAM, PIN-673571,
REPRESENTED BY ITS MANAGING PARTNER, MOHAMED ASHIK.
- 4 LAMIYA SILKS,
WADAKKANCHERY, PIN-680582,
REPRESENTED BY ITS MANAGING PARTNER, MOHAMED ASHIK.
- 5 LAMIYA SILKS,
THIRUR, PIN-676101,
REPRESENTED BY ITS MANAGING PARTNER, MOHAMED ASHIK.
- 6 LAMIYA SILKS, CALICUT, PIN-673004,
REPRESENTED BY ITS MANAGING PARTNER,
MOHAMMED MANSOOR.

BY ADVS.
SRI.K.K.PREMALAL
SRI.VISHNU JYOTHIS LAL

RESPONDENT/S:

1 STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
LABOUR AND SKILLS DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695001.

2 UNION OF INDIA,
REPRESENTED BY ITS SECRETARY,
MINISTRY OF LABOUR, NEW DELHI-110001.

3 MOHAMED T H
LAMIYA SILKS, TRIPRAYAR, PIN-680566.

R1 BY GOVT PLEADER (B/O)
R1 BY ADV. SRI.K.V.SOHAN STATE ATTORNEY
R2 BY ADV. SRI.T.V.VINU CGC
R2 BY ADV. A.S.G.I (BY ORDER)

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1236 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 3438/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

SMART SOFT,
44/19B, AMBELIPADAM ROAD, VYTTILA JANATHA,
COCHIN - 682 019,
REPRESENTED BY ITS MANAGING PARTNER HARISH T.A.

BY ADVS.
SRI.K.K.PREMALAL
SRI.VISHNU JYOTHIS LAL

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
LABOUR & SKILLS DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.
- 2 UNION OF INDIA
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI - 110 001.
- 3 ASHISH VASUDEVAN
SMART SOFT, 44/19B, AMBELIPADAM ROAD,
VYTTILA JANATHA, COCHIN - 682 019.

R1 BY SRI.K.V.SOHAN, STATE ATTORNEY
R2 BY ADV. SRI.B.PREM KUMAR, CGC

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1237 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 39642/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

CHETHANA MERCHANDISE PRIVATE LIMITED
6/15(5), CHETHANA COMPOUND, AMBALAKKAT ROAD,
PERINTHALMANNA, MALAPPURAM - 679 322,
REPRESENTED BY ITS DIRECTOR, K.P. PURUSHOTHAMAN.

BY ADVS.
SRI.K.K.PREMALAL
SRI.VISHNU JYOTHIS LAL

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
LABOUR & SKILLS DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.
- 2 UNION OF INDIA
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI - 110 001.
- 3 SREEKUMAR M.
CHETHANA MERCHANDISE PRIVATE LIMITED, GROUND FLOOR,
NAVAMI REGENCY, SITARAM MILL LANE, POONKUNNAM,
THRISSUR - 680 002.

R1 BY SRI.K.V.SOHAN, STATE ATTORNEY
R2 BY ADV. ASSISTANT SOLICITOR GENERAL (BY ORDER)

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1238 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 7593/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

M/S. SAI SERVICE PVT. LTD.
50/1115L, CHERANALLOOR ROAD, EDAPALLY,P.O.,
KOCHI 682 024.
REPRESENTED BY ITS AUTHORIZED SIGNATORY P.G SUNIL

BY ADVS.
SRI.P.BENNY THOMAS
SRI.D.PREM KAMATH

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM 695 001.
- 2 ASSISTANT LABOUR OFFICER
1ST CIRCLE, CIVIL STATION,ERNAKULAM 682 030
- 3 UNION OF INDIA
REPRESENTED BY ITS SECRETARY,MINISTRY OF LABOUR,
NEW DELHI 110 001.

R1-2 BY SRI.K.V.SOHAN, STATE ATTORNEY
R3 BY ADV. SRI.S.BIJU, CGC (BY ORDER)

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1240 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 9965/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

M/S. KERALA CRS PVT. LTD
1ST FLOOR, INDEL HOUSE, CHANGAMPUZHA NAGAR,
SOUTH KALAMASSERY, KOCHI - 682 033.
REPRESENTED BY ITS DIRECTOR MR. SALIL VENU.

BY ADVS.
SRI.P.BENNY THOMAS
SRI.D.PREM KAMATH

RESPONDENT/S:

- 1 STATE OF KERALA, REPRESENTED BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.
- 2 ASSISTANT LABOUR OFFICER
2ND CIRCLE, CIVIL STATION, ERNAKULAM - 682 030.
- 3 UNION OF INDIA
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI - 110 001.

R1-R2 BY ADV. SRI.K.V.SOHAN STATE ATTORNEY
R3 BY ADV. SRI.RAJAGOPALAN.A., CGC

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1241 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 1904/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

- 1 LAMIYA SILKS
NILAMBUR, PIN-679 329,
REPRESENTED BY ITS PROPRIETOR P.M.ABDUL JABBAR.
- 2 LAMIYA SILKS
MANNARKAD, PIN-678 582,
REPRESENTED BY ITS PROPRIETOR P.M.ABDUL JABBAR.
- 3 LAMIYA SILKS, PATTAMBI
PIN-679 306,
REPRESENTED BY ITS PROPRIETOR P.M.ABDUL JABBAR.
- 4 LAMIYA SILKS, KUNNAMKULAM, PIN-673 571,
REPRESENTED BY ITS PROPRIETOR P.M.ABDUL JABBAR.
- 5 LAMIYA SILKS MOONNUPPEDIKA
PIN-680 686, REPRESENTED BY ITS PROPRIETOR
P.M.ABDUL JABBAR.
- 6 LAMIYA SILKS PALARIVATTOM
PIN-682 025,
REPRESENTED BY ITS PROPRIETOR P.M.ABDUL JABBAR.
- 7 LAMIYA SILKS MANJERI
PIN-676 121,
REPRESENTED BY ITS PROPRIETOR P.M.ABDUL JABBAR.

BY ADVS.

SRI.K.K.PREMALAL

SRI.VISHNU JYOTHIS LAL.

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
LABOUR ANDSKILLS DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001.
- 2 UNION OF INDIA
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI-110 001.
- 3 JAYAKUMAR.T.
LAMIYA SILKS, NILAMBUR, PIN-679 329.

R1 BY ADV. SRI.K.V.SOHAN STATE ATTORNEY
R2 BY ADV. SRI.K.A.BALAN, CGC

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

- 66 -

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1242 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 12026/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

SNA OUSHADHASALA PVT LTD
MOOSPET ROAD, EAST FORT (P.O.), THRISSUR - 680 005.
REPRESENTED BY ITS MANAGING DIRECTOR,
DR.PTN VASUDEVAN MOOSS.

BY ADVS.
SRI.K.K.PREMALAL
SRI.VISHNU JYOTHIS LAL

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
LABOUR & SKILLS DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.
- 2 UNION OF INDIA
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI - 110 001.
- 3 RAMAN M.S.
SNA OUSHADHASALA PVT.LTD., MOOSPET ROAD,
EAST FORT (P.O.), THRISSUR - 680 005.

R1 BY ADV. SRI.K.V.SOHAN, STATE ATTORNEY
R2 BY ADV. SRI.DINESH R.SHENOY, CGC

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

- 67 -

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1243 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 9969/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

INDEL AUTOMOTIVES KOCHI PVT.LTD
FIRST FLOOR, INDEL HOUSE, CHANGAMPUZHA NAGAR,
SOUTH KALAMASSERY, KOCHI - 682 033,
REPRESENTED BY ITS DIRECTOR, MR. SALIL VENU.

BY ADVS.
SRI.P.BENNY THOMAS
SRI.D.PREM KAMATH

RESPONDENT/S:

- 1 STATE OF KERALA, REPRESENTED BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.
- 2 ASSISTANT LABOUR OFFICER
2ND CIRCLE, CIVIL STATION, KAKKANAD,
KOCHI - 682 030.
- 3 UNION OF INDIA
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI - 110 001.

R1 & R2 BY SRI.K.V.SOHAN, STATE ATTORNEY
R3 BY ADV. SRI.HARIDAS P.NAIR, CGC
R3 BY ADV. SRI.K.THYAGARAJESWARAN CGC

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

- 68 -

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1244 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 39126/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

FILING PHARMACEUTICALS PRIVATE LIMITED
NO. B1, 31/441/5, FIRST FLOOR, NAVAMY REGENCY, SITARAM
MILL ROAD, PUNKUNNAM P.O.,
THRISSUR - 680 002.
REPRESENTED BY ITS MANAGING DIRECTOR MADHUSUDHANAN K.

BY ADVS.
SRI.K.K.PREMALAL
SRI.VISHNU JYOTHIS LAL

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
LABOUR AND SKILLS DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.
- 2 UNION OF INDIA
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI - 110 001.
- 3 SURESH M.
FLING PHARMACEUTICALS PRIVATE LIMITED,
NO. B1, 31/441/5, FIRST FLOOR, NAVAMY REGENCY,
SITARAM MILL ROAD, PUNKUNNAM P.O., THRISSUR - 680 002.

R1 BY ADV. SRI.K.V.SOHAN STATE ATTORNEY
R2 BY ADV. SRI.H.GOPAKUMAR, CGC

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

- 69 -

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1246 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 5821/2017 DATED 10-04-2018 OF
HIGH COURT OF KERALA

APPELLANT/S:

ERNAD ENGINEERING ENTERPRISES
V.K. TRADE CENTRE, DOWN HILL P.O., TIRUR ROAD,
MALAPPURAM - 676 519,
REPRESENTED BY ITS MANAGING PARTNER HASHIM.

BY ADVS.
SRI.K.K.PREMALAL
SRI.VISHNU JYOTHIS LAL

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
LABOUR & SKILLS DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.
- 2 UNION OF INDIA
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI - 110 001.
- 3 RAJESH C. NAIR
ERNAD ENGINEERING ENTERPRISES, V.K. TRADE CENTRE,
DOWN HILL P.O., TIRUR ROAD, MALAPPURAM - 676 519.

R1 BY ADV. SRI.K.V.SOHAN STATE ATTORNEY
R2 BY ADV. SRI.JAISHANKAR V.NAIR, CGC

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1247 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 2308/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

- 1 ELITE SUPER MARKET
SREE VADAKKUNATHAN SHOPPING COMPLEX,
WEST PALLITHANAM, THRISSUR - 680 020
REPRESENTED BY ITS MANAGING PARTNER
T.R. VIJAYAKUMAR.
- 2 ELITE SUPER MARKET
SELEX MALL, EAST FORT, THRISSUR - 680 005
REPRESENTED BY ITS MANAGING PARTNER
T.R VIJAYAKUMAR.
- 3 ELITE SUPER MARKET
DOOR NO. 16/411/3, KAKKASSERY SOUK, THRISSUR ROAD,
KUNNAMKULAM, THRISSUR - 680 503,
REPRESENTED BY ITS MANAGING PARTNER
T.R. VIJAYAKUMAR.
- 4 ELITE SUPER MARKET
PUKALAKKATT VAKAYIL TOWERS, KOTHAKULANGARA,
ANGAMALY - 683 572,
REPRESENTED BY ITS MANAGING PARTNER
T.R. VIJAYAKUMAR.
- 5 ELITE SUPER MARKET
GODOWN, DOOR NO. 31/204/205, POONKUNNAM, THRISSUR,
REPRESENTED BY ITS MANAGING PARTNER
T.R. VIJAYAKUMAR.

BY ADVS.

SRI.K.K.PREMALAL

SRI.VISHNU JYOTHIS LAL.

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
LABOUR AND SKILLS DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.
 - 2 UNION OF INDIA
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI - 110 001.
 - 3 BENNY K.P.
ELITE SUPER MARKET,
SREE VADAKKUNATHAN SHOPPING COMPLEX,
WEST PALLITHANAM, THRISSUR - 680 020.
- R1 BY ADV. SRI.K.V.SOHAN STATE ATTORNEY
R2 BY ADV. SRI.SUVIN R.MENON, CGC

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1253 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 10400/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

KERALA BAR HOTELS ASSOCIATION
(THRISSUR DISTRICT UNIT)KBHA HOUSE, 1ST STREET,
CEMETERY ROAD,MISSION QUARTERS, THRISSUR-1
REPRESENTED BY PRESIDENT SQN.LDR.K.B. PADMADAS

BY ADVS.
SRI.K.K.PREMALAL
SRI.VISHNU JYOTHIS LAL

RESPONDENT/S:

1 STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
LABOUR & SKILLS DEPARTMENT,
GOVERNMENT SECRETARIAT,THIRUVANANTHAPURAM 695 001.

2 UNION OF INDIA
REPRESENTED BY ITS SECRETARY,MINISTRY OF LABOUR,
NEW DELHI 110 001.

R1 BY SRI.K.V.SOHAN, STATE ATTORNEY
R2 BY ADV. KRISHNA DAS P NAIR, CGC (B/O)

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

- 73 -

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1254 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 40957/2016 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

PIONEER CARS (INDIA) PVT. LTD.
TMC 1/50, KODUVALLY, THALASSERY 670 105.

BY ADVS.
SRI.K.K.PREMALAL
SRI.VISHNU JYOTHIS LAL

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
LABOUR & SKILLS DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM 695 001.
- 2 UNION OF INDIA
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI 110 001.
- 3 JOY V.J
PIONEER CARD (INDIA) PVT LTD, TMC 1/50, KODUVALLY,
THALASSERY 670 105.

R1 BY SRI.K.V.SOHAN, STATE ATTORNEY
R2 BY SRI.K.THYAGARAJESWARAN, CGC

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

- 74 -

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1256 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 727/2017
OF HIGH COURT OF KERALA

APPELLANT/S:

M/S. POPULAR AUTO DEALERS PVT. LTD
KUTTUKARAN CENTRE, MAMANGALAM, ERNAKULAM,
KOCHI-682025,
REPRESENTED BY ITS HR MANAGER, MR. ROY THOMAS.

BY ADVS.
SRI.P.BENNY THOMAS
SRI.D.PREM KAMATH

RESPONDENT/S:

- 1 STATE OF KERALA, REPRESENTED BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT, GOVERNMENT
SECRETARIAT, THIRUVANANTHAPURAM-695001.
- 2 ASSISTANT LABOUR OFFICER
GR II, 2ND CIRCLE, THRISSUR-682021.
- 3 UNION OF INDIA
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI-110001.

R1-R2 BY SRI.K.V.SOHAN, STATE ATTORNEY
R3 BY ASSISTANT SOLICITOR GENERAL

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1257 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 8534/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

M/S ADECCO INDIA PVT.LTD
41/1044A, 1ST FLOOR, KRC HOUSE, VEEKSHANAM ROAD,
COCHIN-682018,
REPRESENTED BY ITS AUTHORIZED SIGNATORY
MR.MAHESWARAN.

BY ADVS.
SRI.P.BENNY THOMAS
SRI.D.PREM KAMATH

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT, GOVERNMENT
SECRETARIAT, THIRUVANANTHAPURAM-695001.
- 2 ASSISTANT LABOUR OFFICER
1ST CIRCLE, CIVIL STATION, KAKKANAD,
ERNAKULAM-682030.
- 3 UNION OF INDIA
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI-110001.

R1-R2 BY SRI.K.V.SOHAN, STATE ATTORNEY
R3 BY ASSISTANT SOLICITOR GENERAL

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1265 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 21797/2016 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

M/S. CATHOLIC HOSPITAL ASSOCIATION OF INDIA
KERALA UNIT, PASTORAL ORIENTATION
CENTRE, PALARIVATTOM, KOCHI - 682 028.,
REPRESENTED BY ITS EXECUTIVE DIRECTOR,
FR. SIMON PALLUPETTA.

BY ADV. SRI.ISSAC M.PERUMPILLIL

RESPONDENT/S:

1 THE UNION OF INDIA
REP. BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI - 110 001.

2 THE STATE OF KERALA
REP. BY ITS SECRETARY, LABOUR & WELFARE,
DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.

R1 BY ASSISTANT SOLICITOR GENERAL

R2 BY ADV. SRI.K.V.SOHAN, STATE ATTORNEY

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1266 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 39796/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

ECESIS BPO SERVICES (P) LTD
C,G,52, CINNAMON GARDENS, KALLAYAM ROAD, VAZHAYILA,
KARAKULAM P.O., THIRUVANANTHAPURAM-695564, KERALA,
REPRESENTED BY ITS MANAGING DIRECTOR,
MR.T.K.VELAYUDHAM, AGED 58YEARS, S/O K.V.KRISHNAN,
RESIDING AT C.G.52, CINNAMON GARDENS,
KALLAYAM ROAD VAZHAYILA, KARAKULAM P.O.,
THIRUVANANTHAPURAM-695564, KERALA.

BY ADVS.
SRI.VARGHESE K.PAUL
SRI.ANITH JAMES
SMT.BINDHU ANTONY
SRI.VINEED ABRAHAM

RESPONDENT/S:

- 1 THE UNION OF INDIA,
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI-110 001.
- 2 THE STATE OF KERALA, REPRESENTED BY ITS SECRETARY,
LABOUR & WELFAREDEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695 001.

R1 BY ADV. SRI.M.C.MONY, CGC (BY ORDER)
R2 BY ADV. SRI.K.V.SOHAN, STATE ATTORNEY

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1267 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 4389/2018 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

M/S. BERGER KING INDIA PRIVATE LIMITED
CORPORATE IDENTITY NUMBER
U55204MH2013FTC249986, UNIT NOS.1003 TO 1007,
10TH FLOOR, MITTAL COMMERCIA, ASAN PADA ROAD,
CHIMATPADA, MAROL, ANDHERI EAST, MUMBAI-400 059,
MAHARASHTRA,
REP; BY ITS CHIEF PEOPLE OFFICER, NAMRATA TIWARI.

BY ADVS.
SRI.ISSAC M.PERUMPILLIL
SRI.JIJO PAUL KALLOOKKARAN

RESPONDENT/S:

- 1 THE UNION OF INDIA
REP. BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI -110 001.
- 2 THE STATE OF KERALA, REP. BY ITS SECRETARY,
LABOUR & WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695001.

R1 BY ADV. SRI.V.GIRISH KUMAR, CGC (BY ORDER)
R2 BY ADV. SRI.K.V.SOHAN, STATE ATTORNEY

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1268 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 38582/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

GENBIOTEC PRIVATE LIMITED
15/77-A, 6TH STREET, ISLAND AVENUE, LENIN NAGAR,
PUNKUNNAM, TRICHUR - 680 002,
REPRESENTED BY ITS MANAGING DIRECTOR,
V.MADHUSUDHMAN.

BY ADVS.
SRI.K.K.PREMALAL
SRI.VISHNU JYOTHIS LAL

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
LABOUR & SKILLS DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.
- 2 UNION OF INDIA
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI - 110 001.
- 3 KUTTIKRISHNAN K.
GENBIOTEC PRIVATE LIMITED, 15/77-A, 6TH STREET,
ISLAND AVENUE, LENIN NAGAR, PUNKUNNAM,
TRICHUR - 680 002.

R1 BY SRI.K.V.SOHAN, STATE ATTORNEY
R2 BY ADV. SRI.SUVIN R.MENON, CGC

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1269 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 40954/2016 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

PIONEER MOTORS (KANNUR) PVT. LTD.
BYPASS ROAD, KIZHUTHALLI, KANNUR-670 018.

BY ADVS.
SRI.K.K.PREMALAL
SRI.VISHNU JYOTHIS LAL

RESPONDENT/S:

1 STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
LABOUR & SKILLS DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001.

2 UNION OF INDIA
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI-110 001.

3 RAMAKRISHNAN A
PIONEER MOTORS (KANNUR) PVT. LTD., BYPASS ROAD,
KIZHUTHALLI, KANNUR-670 018.

R1 BY SRI.K.V.SOHAN, STATE ATTORNEY
R2 BY ASSISTANT SOLICITOR GENERAL
R2 BY ADV. SRI.K.THYAGARAJESWARAN CGC

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1270 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 30316/2016 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

- 1 BHIMA JEWELS,
JEWEL JUNCTION, MG ROAD, ERNAKULAM-16,
REPRESENTED BY ITS MANAGING PARTNER B. BINDUMADHAV.
- 2 BHIMA JEWELS,
T.B. ROAD, KOTTAYAM,
REPRESENTED BY ITS MANAGING PARTNER B. BINDUMADHAV.
- 3 BHIMA JEWELS,
UNIT OF BHIMA BOUTIQUE PVT. LTD., BYPASS ROAD,
EDAPPALLY, ERNAKULAM-24,
REPRESENTED BY ITS MANAGING DIRECTOR
B. BINDUMADHAV.
- 4 BHIMA JEWELS,
AMBALAM BYPASS ROAD, UNIT OF BHIMA BOUTIQUE PVT.
LTD., THODUPUZHA, IDUKKI DISTRICT,
REPRESENTED BY ITS MANAGING PARTNER B. BINDUMADHAV.
- 5 BHIMA SILVER PALACE,
LAYAM ROAD, OFF. MG ROAD, ERNAKULAM-16,
REPRESENTED BY ITS PROPRIETOR B. BINDUMADHAV.
- 6 BHIMA JEWELS,
UNIT OF BHIMA SILVER PALACE, DOOR NO.13/431,
THULASI TOWERSM OPP. TO KSRTC BUS STAND,
PUNALLOOR-691305, REPRESENTED BY ITS PROPRIETOR
B. BINDUMADHAV.

BY ADVS.

SRI.K.K.PREMALAL

SRI.VISHNU JYOTHIS LAL.

RESPONDENT/S:

- 1 STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
LABOUR AND SKILLS DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695001.
- 2 UNION OF INDIA,
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOOUR,
NEW DELHI-110001.
- 3 D. SASIKUMAR,
BHIMA JEWELS, JEWEL JUNCTION, MG ROAD,
ERNAKULAM-16.
- 4 BIJILAL,
BHIMA JEWELS, TB ROAD, KOTTAYAM.
- 5 BALAKRISHNAN V.N.,
BHIMA JEWELS, UNION OF BHIMA BOUTIQUE PVT. LTD.,
BYPASS ROAD, EDAPPALLY, ERNAKULAM-24.
- 6 HARIKRISHNAN M.N.,
BHIMA JEWELS, AMBALAM BYPASS ROAD,
UNIT OF BHIMA BOUTIQUE PVT. LTD., THODUPUZHA,
IDUKKI DISTRICT.
- 7 SRIKANTH N.K.,
BHIMA SILVER PALACE, LAYAM ROAD, OFF. MG ROAD,
ERNAKULAM-16.
- 8 M. SUMESH,
BHIMA JEWELS, UNIT OF BHIMA SILVER PALACE,
DOOR NO.13/431, THULASI TOWERS,
OPP. TO KSRTC BUS STAND, PUNALLOOR-691305.

R1 BY SRI.K.V.SOHAN, STATE ATTORNEY
R2 BY ADV. SRI.S.VAIDYANATHAN CGC

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1271 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 7651/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

M/S. SAI SERVICES SPARES & ACCESSORIES PVT.LTD
MUTTOM, THAIKKAVU, THAIKKATTUKARA, ALUVA,
KOCHI-683106,
REPRESENTED BY ITS AUTHORIZED SIGNATORY P.G. SUNIL.

BY ADVS.
SRI.P.BENNY THOMAS
SRI.D.PREM KAMATH

RESPONDENT/S:

- 1 STATE OF KERALA, REPRESENTED BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM - 695001.
- 2 ASSISTANT LABOUR OFFICER, ALUVA, KOCHI -683101.
- 3 UNION OF INDIA
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI-110001.

R1 BY SRI.K.V.SOHAN, STATE ATTORNEY
R2 BY STATE ATTORNEY
R3 BY ADV. SRI.V.R RAKESH, CGC (BY ORDER)

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1272 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 6438/2017
OF HIGH COURT OF KERALA

APPELLANT/S:

M/S. KUTTUKARAN TRADING COMPANY
KUTTUKARAN CENTRE, MAMANGALAM, ERNAKULAM,
KOCHI - 682025,
REPRESENTED BY ITS HR MANAGER, MR. ROY THOMAS.

BY ADVS.
SRI.P.BENNY THOMAS
SRI.D.PREM KAMATH

RESPONDENT/S:

- 1 STATE OF KERALA, REPRESENTED BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695001.
- 2 ASSISTANT LABOUR OFFICER
2ND CIRCLE, CIVIL STATION, KAKKANAD, KOCHI-682030.
- 3 UNION OF INDIA
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI-110001.

R1-R2 BY SRI.K.V.SOHAN, STATE ATTORNEY
R3 BY ASSISTANT SOLICITOR GENERAL

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1273 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 7632/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

M/S. INNOVATIVE FOODS LTD
CHAKOLAS HABITAT, A BLOCK, 1C, THEVARA FERRY ROAD,
COCHIN - 682 012,
REPRESENTED BY ITS WHOLE TIME DIRECTOR,
MR.P.MANOJKUMAR.

BY ADVS.
SRI.P.BENNY THOMAS
SRI.D.PREM KAMATH

RESPONDENT/S:

- 1 STATE OF KERALA, REPRESENTED BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.
- 2 ASSISTANT LABOUR OFFICER
FIRST CIRCLE, CIVIL STATION, KAKKANADU,
KOCHI - 682 021.
- 3 UNION OF INDIA
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI - 110 001.

R1-R2 BY SRI.K.V.SOHAN, STATE ATTORNEY
R3 BY ADV. SRI.TULASI PANICKER, CGC

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1274 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 9952/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

MGF MOTORS LTD
FIRST FLOOR, INDEL HOUSE, CHANGAMPUZHA NAGAR,
SOUTH KALAMASSERY, KOCHI - 682 033,
REPRESENTED BY ITS DIRECTOR, MR. SALIL VENU.

BY ADV. SRI.P.BENNY THOMAS

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.
- 2 ASSISTANT LABOUR OFFICER
2ND CIRCLE, CIVIL STATION, KAKKANAD,
KOCHI - 682 030.
- 3 UNION OF INDIA
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI - 110 001.

R1-R2 BY SRI.K.V.SOHAN, STATE ATTORNEY
R3 BY ADV. SRI.R.PRASANTH KUMAR, CGC

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1275 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 2256/2018 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

SANTA MONICA STRDY ABROAD PVT. LTD.
BIO ARCADE BUILDING, LAYAM ROAD, COCHIN 682 011,
REPRESENTED BY ITS MANAGING DIRECTOR,
DENNY THOMAS, S/O.THOMAS VATTAKUNNEL,
RESIDING AT VATTAKUNNEL HOUSE, ST VINCENT ROAD,
PALARIVATTOM, ERNAKULAM - 682 025, KERALA.

BY ADVS.
SRI.VARGHESE K.PAUL
SRI.ANITH JAMES
SMT.BINDHU ANTONY
SRI.VINEED ABRAHAM

RESPONDENT/S:

- 1 THE UNION OF INDIA
REPRESENTED BY ITS SECRETARY,MINISTRY OF LABOUR,
NEW DELHI - 110 001.
- 2 THE STATE OF KERALA
REPRESENTED BY ITS SECRETARY,
LABOUR & WELFARE DEPARTMENT DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.

R1 BY ADV. SRI.TULASI PANICKER CGC
R2 BY ADV. SRI.K.V.SOHAN, STATE ATTORNEY

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1281 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 11255/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

KOTT SOFTWARE PVT.LTD.,
VALLAMATTOM ESTATE, M.G. ROAD, RAVIPURAM,
KOCHI - 682015,
REPRESENTED BY ITS MANAGING DIRECTOR,
MR. JAMES MATHEW.

BY ADVS.
SRI.P.BENNY THOMAS
SRI.D.PREM KAMATH

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695001.
- 2 ASSISTANT LABOUR OFFICER
CIVIL STATION, KAKKANAD, KOCHI - 682030.
- 3 UNION OF INDIA
REPRESENTED BY ITS SECRETARY,
MINISTRY OF LABOUR, NEW DELHI - 110001.

R1-2 BY SRI.K.V.SOHAN, STATE ATTORNEY
R3 BY ADV. SRI.B.PREM KUMAR, CGC

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1294 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 34351/2016 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

RAJESH METALS
BY BEENS SQUARE, 1
ST FLOOR, NEELANDANPADY, PARAMPUZHA P.O.,
THIRUVANCHOOR, KOTTAYAM - 686 004.
REPRESENTED BY ITS MANAGING PARTNER RAJESH G.

BY ADVS.
SRI.K.K.PREMALAL
SRI.VISHNU JYOTHIS LAL

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
LABOUR & SKILLS DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.
- 2 UNION OF INDIA
REPRESENTED BY ITS SECRETARY,
MINISTRY OF LABOUR, NEW DELHI - 110 001.
- 3 M.V. BABU
RAJESH METALS, XIV/VAYASKARA HILLS,
PALACE ROAD, KOTTAYAM - 686 001.

W.A.979 of 2018 &
connected cases.

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4 GOPINATHAN NAIR
 RAJESH METALS, XIV/VAYASKARA HILLS,
 PALACE ROAD, KOTTAYAM - 686 001.

R1 BY ADV. SRI.K.V.SOHAN, STATE ATTORNEY
R2 BY ADV. SRI.KRISHNADAS P.NAIR, CGC

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1295 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 40288/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

MUTHOOT HEALTH CARE PVT. LTD.
COLLEGE ROAD, KOZHENCHERY, PATANAMTHITTA - 689 641,
REPRESENTED BY ITS MANAGING DIRECTOR
DR. GEORGE KURIAN MUTHOOT.

BY ADVS.
SRI.ALEX.M.SCARIA
SMT.SARITHA THOMAS

RESPONDENT/S:

STATE OF KERALA
REPRESENTED BY ITS SECRETARY
(LABOUR AND SKILLS (E) DEPARTMENT),
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.

R1 BY ADV. SRI.K.V.SOHAN STATE ATTORNEY

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1325 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 40893/2016 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

AYURVEDA HOSPITAL MANAGEMENT ASSOCIATION
AYSWARYA HOSPITAL, PUKKATTUPADY, ALUVA-683561
REPRESENTED BY ITS GENERAL SECRETARY
DR. C.S KRISHNAKUMAR.

BY ADVS.
SRI.K.K.PREMALAL
SRI.VISHNU JYOTHIS LAL

RESPONDENT/S:

- 1 STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
LABOUR & SKILLS DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM 695 001.
- 2 UNION OF INDIA
REPRESENTED BY ITS SECRETARY,MINISTRY OF LABOUR,
NEW DELHI 110 001

R1 BY ADV. SRI.K.V.SOHAN, STATE ATTORNEY
R2 BY ASSISTANT SOLICITOR GENERAL

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1326 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 10193/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

M/S. INDEL AUTOMOTIVE PVT. LTD.
FIRST FLOOR, INDEL HOUSE, CHANGAMPUZHA NAGAR,
SOUTH KALAMASSERY, KOCHI-682 033.
REPRESENTED BY ITS DIRECTOR MR. SALIL VENU.

BY ADVS.
SRI.P.BENNY THOMAS
SRI.D.PREM KAMATH

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001.
- 2 ASSISTANT LABOUR OFFICER
CIVIL STATION, KAKKANAD, KOCHI 682 030.
- 3 UNION OF INDIA
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI 110 001.

R1 BY ADV. SRI.K.V.SOHAN, STATE ATTORNEY
R2 BY GOVERNMENT PLEADER
R3 BY ASSISTANT SOLICITOR GENERAL

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1327 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 12502/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

M/S. OMEGA MOTORS PVT LTD
FIRST FLOOR, INDEL HOUSE, CHANGAMPUZHA NAGAR,
SOUTH KALAMASSERY, KOCHI - 682 033
REPRESENTED BY ITS DIRECTOR, MR. SALIL VENU.

BY ADVS.
SRI.P.BENNY THOMAS
SRI.D.PREM KAMATH

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.
- 2 ASSISTANT LABOUR OFFICER
2ND CIRCLE, CIVIL STATION, KAKKANAD,
KOCHI - 682 030.
- 3 UNION OF INDIA
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI - 110 001.

R1 BY ADV. SRI.K.V.SOHAN, STATE ATTORNEY
R2 BY STATE ATTORNEY
R3 BY ADV. SRI.H.GOPAKUMAR, CGC

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

W.A.No.1332 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 10180/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

- 1 CHAKIAT AGENCIES PVT. LTD.
REGD. OFFICE AT 40, RAJAJI SALAI, CHENNAI- 600 001.
REPRESENTED BY MR.M.JAIRAM, ITS DIRECTOR.
- 2 CHAKIAT SHIPPING SERVICES PVT. LTD.
REGD. OFFICE AT VAISHNAV, 95/19 RACE COURSE ROAD,
COIMBATORE, REPRESENTED BY MR. M. JAIRAM,
ITS DIRECTOR.
- 3 CHAKIAT AGENCIES
REGD. OFFICE AT PB NO.525, WILLINGDON ISLAND,
COCHIN-682003,
REPRESENTED BY MR. M. JAIRAM,ITS PARTNER.
- 4 C A LOGISTICS PVT. LTD.
REGD.OFFICE AT OLD NO.33/NEW NO.17,
THAMBUCHETTY STREET, 2ND FLOOR,
LAKSHMI TOWER, CHENNAI 600 001,
REPRESENTED BY MR.SIVADAS G, ITS DIRECTOR.

BY ADVS.

SMT.LATHA ANAND

SRI.JOSEPH SEBASTIAN (PARACKAL)

SRI.M.N.RADHAKRISHNA MENON

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY ITS SECRETARY, LABOUR
AND WELFARE DEPARTMENT, GOVT. SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.

W.A.979 of 2018 &
connected cases.

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- 2 THE LABOUR COMMISSIONER
OFFICE OF THE LABOUR COMMISSIONER,
THIRUVANANTHAPURAM - 695 001.
- 3 THE ASSTT. LABOUR OFFICER, FORT KOCHI.
- 4 UNION OF INDIA
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI 110001.

R1-R3 BY SRI.K.V.SOHAN, STATE ATTORNEY
R4 BY ADV. SMT.KEERTHI SOLOMON, CGC

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1355 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 9786/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

ALL KERALA CHEMIST & DRUGGISTS ASSOCIATION
REPRESENTED BY ITS GENERAL SECRETARY,
THOMAS RAJU, CHEMISTS BHAVAN, VIVEKANANDA ROAD,
OPP.SOUTH RAILWAY STATION, KOCHI-682 016.

BY ADV. SRI.SURAJ.S

RESPONDENT/S:

1 UNION OF INDIA
REPRESENTED BY THE SECRETARY, MINISTRY OF LABOUR,
CENTRAL SECRETARIAT, NEW DELHI-110011.

2 STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
DEPARTMENT OF LABOUR AND SKILLS,
SECRETARIATE, THIRUVANANTHAPURAM-695 001.

R1 BY ADV. ASSISTANT SOLICITOR GENERAL (B/O),
R1 BY ADV. SRI.DINESH R.SHENOY CGC
R2 BY ADV. SRI.K.V.SOHAN, STATE ATTORNEY (B/O)

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1366 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 4625/2017
OF HIGH COURT OF KERALA

APPELLANT/S:

M/S. POPULAR MOTOR CORPORATION
33/2361 A, GEETHANJALI STOP, NH BYPASS,
VYTILLA P.O., KOCHI - 632 019,
REPRESENTED BY AUTHORISED SIGNATORY,
MR. SIMON M. XAVIER, VICE PRESIDENT.

BY ADVS.
SRI.P.BENNY THOMAS
SRI.D.PREM KAMATH

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.
- 2 ASSISTANT LABOUR OFFICER, KOCHI - 682 001.
- 3 UNION OF INDIA
REPRESENTED BY ITS SECRETARY,MINISTRY OF LABOUR,
NEW DELHI - 110 001.

R1-2 BY ADV. SRI.K.V.SOHAN, STATE ATTORNEY (B/O)
R3 BY ADV. SMT.PREMALATHA K. NAIR, CGC (BY ORDER)

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

- 99 -

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1368 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 9956/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

EQS WEB TECHNOLOGIES PRIVATE LIMITED
CENTRE A, 5TH FLOOR, ALAPPAT HERITAGE BUILDING,
M.G.ROAD, ERNAKULAM, REPRESENTED BY ITS DIRECTOR,
VINOD ANAND.

BY ADV. SRI.S.JAMAL

RESPONDENT/S:

- 1 THE STATE OF KERALA
REPRESENTED BY SECRETARY TO GOVT.,
LABOUR AND WEFARE DEPARTMENT, GOVT. SECRETARIAT,
THIRUVANANTHAPURAM.
- 2 THE UNION OF INDIA
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI - 110 001.

R1 BY ADV. SRI.K.V.SOHAN, STATE ATTORNEY (BY ORDER)
R2 BY ASSISTANT SOLICITOR GENERAL

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

- 100 -

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1383 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 9955/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

BEO SOFTWARE PRIVATE LIMITED
BEO PARK, P.J. ANTONY CROSS ROAD, PALARIVATTOM,
ERNAKULAM,
REPRESENTED BY ITS MANAGING DIRECTOR JOSE PAUL P.

BY ADV. SRI.S.JAMAL

RESPONDENT/S:

- 1 THE STATE OF KERALA
REPRESENTED BY SECRETARY TO GOVT.,
LABOUR AND WELFARE DEPARTMENT,
GOVT. SECRETARIAT, THIRUVANANTHAPURAM.
- 2 THE UNION OF INDIA
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI - 110 001.

R1 BY SRI.K.V.SOHAN, STATE ATTORNEY

R2 BY ADV. SMT.SREEKALA K.L., CGC

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1400 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 37125/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

M/S BLUESTAR LTD.
MILLENIUM PLAZA, ALINCHUVADU, PALARIVATTOM,
KOCHI - 682 025,
REPRESENTED BY ITS BRANCH MANAGER MR.HARIHARAN.V.

BY ADVS.
SRI.P.RAMAKRISHNAN
SRI.C.ANIL KUMAR
SMT.ASHA K.SHENOY
SRI.T.C.KRISHNA
SRI.C.B.MUKUNDAN (THRISSUR)
SMT.PREETHI RAMAKRISHNAN (P-212)
SRI.PRATAP ABRAHAM VARGHESE

RESPONDENT/S:

STATE OF KERALA
REPRESENTED BY THE SECRETARY,
LABOUR AMP SKILLS (E) DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.

R1 BY SRI.K.V.SOHAN, STATE ATTORNEY (B/O)

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1435 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 26076/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

MUTHOOT AUTOMOTIVE INDIA PRIVATE LIMITED
NEAR TOWN LIMIT, NH 208,Q-S ROAD, KADAPPAKADA,
KOLLAM,REPRESENTED BY ITS MANAGING DIRECTOR,
THOMAS MUTHOOT.

BY ADV. SRI.P.RAMAKRISHNAN

RESPONDENT/S:

STATE OF KERALA
REPRESENTED BY THE SECRETARY TO
GOVERNMENT,DEPARTMENT OF LABOUR AND
SKILLS,GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.

R1 BY SRI.K.V.SOHAN, STATE ATTORNEY

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1436 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 26052/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

MUTHOOT MOTORS (COCHIN)
THE GRANDE, NEAR K.S.E.B.OFFICE, PALARIVATTOM,
KOCHI - 682 025,
REPRESENTED BY ITS MANAGING DIRECTOR,
THOMAS MUTHOOT.

BY ADVS.
SRI.P.RAMAKRISHNAN
SRI.C.ANIL KUMAR
SMT.ASHA K.SHENOY
SRI.PRATAP ABRAHAM VARGHESE

RESPONDENT/S:

STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
DEPARTMENT OF LABOUR AND SKILLS,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.

R1 BY SRI.K.V.SOHAN, STATE ATTORNEY

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1438 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 2305/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

- 1 BINI TOURIST HOME
28/642, ROUND NORTH,
THRISSUR - 680 001,
REPRESENTED BY ITS MANAGING PARTNER OMANA ASOKAN.
- 2 THE LANDMARK
NEAR JAWAHARLAL NEHRU STADIUM,
KALOOR, KOCHI - 17,
REPRESENTED BY ITS MANAGING PARTNER OMANA ASOKAN.
- 3 ASHOKA INN
SAKTHAN THAMBURAN NAGAR,
THRISSUR - 680 001, REPRESENTED BY ITS MANAGING
PARTNER OMANA ASOKAN.
- 4 ARAMANA BAR AND RESTAURANT
RAILWAY STATION ROAD, THRISSUR - 680 001,
REPRESENTED BY ITS MANAGING PARTNER OMANA ASOKAN.
- 5 HOTEL HILL TOP
P.O. VELUTHOOR, KUNNATHANGADI,
THRISSUR - 680 016,
REPRESENTED BY ITS MANAGING PARTNER OMANA ASOKAN.

BY ADVS.

SRI.K.K.PREMALAL

SRI.VISHNU JYOTHIS LAL.

W.A.979 of 2018 &
connected cases.

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RESPONDENT/S:

1 STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
LABOUR AND SKILLS DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.

2 UNION OF INDIA
REPRESENTED BY ITS SECRETARY,
MINISTRY OF LABOUR, NEW DELHI - 110 001.

3 SHYJAN E.M
BINI TOURIST HOME, 28/642, ROUND NORTH,
THRISSUR - 680 001.

R1 BY SRI.K.V.SOHAN, STATE ATTORNEY

R2 BY ADV. ASSISTANT SOLICITOR GENERAL (BY ORDER).

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1449 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 26057/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

MUTHOOT AUTOMOBILE SOLUTIONS (P) LTD.
WEST HILL P.O, KANNUR ROAD, PAVANGAD,
KOZHIKODE - 673 005,
REPRESENTED BY ITS MANAGING DIRECTOR,
THOMAS MUTHOOT.

BY ADV. SRI.P.RAMAKRISHNAN

RESPONDENT/S:

STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
DEPARTMENT OF LABOUR AND AMP SKILLS,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.

R1 SRI.K.V.SOHAN, STATE ATTORNEY (B/O)

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1510 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 11104/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

CHANNEL FOODS P LTD.
VEERATYH COMPLEX, CIVIL LANE ROAD,
PALARIVATTOM, ERNAKULAM, PIN - 682 024
REPRESENTED BY ITS DIRECTOR, JALEEL HUSSAIN.

BY ADV. SRI.S.JAMAL

RESPONDENT/S:

- 1 THE STATE OF KERALA
REPRESENTED BY SECRETARY TO GOVT.,
LABOUR AND WELFARE DEPARTMENT,
GOVT. SECRETARIAT, THIRUVANANTHAPURAM.
- 2 THE UNION OF INDIA
REPRESENTED BY ITS SECRETARY,
MINISTRY OF LABOUR, NEW DELHI - 110 001.

R1 BY SRI.K.V.SOHAN, STATE ATTORNEY
R2 BY ADV. SRI.DINESH R.SHENOY, CGC.

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1523 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 10341/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

KAAIZEEN MEDITECH PRIVATE LIMITED
DOOR NO.5/2016, B1 & B2, KAILAS NAGAR,
THRIKKAKARA PO, COCHIN-21,
REPRESENTED BY ITS MANAGING DIRECTOR-
SATISH WARRIER.

BY ADV. SRI.S.JAMAL

RESPONDENT/S:

- 1 THE STATE OF KERALA
REPRESENTED BY SECRETARY TO GOVT.,
LABOUR AND WELFARE DEPARTMENT,
GOVT. SECRETARIAT, THIRUVANANTHAPURAM-695001.
- 2 THE UNION OF INDIA
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI-110001.

R1 BY SRI.K.V.SOHAN, STATE ATTORNEY
R2 BY ADV. SRI.M.A.VINOD, CGC

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

- 109 -

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1632 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 20017/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

M/S.G4S SECURE SOLUTIONS INDIA (P) LTD.
REGIONAL OFFICE AT HOUSE NO.50/1209,C&C1,
JCRA-83,JAWAN CROSS ROAD,PONEKKARA,EDAPPALLY,
KOCHI-682041,REPRESENTED BY ITS HUB DIRECTOR.

BY ADVS.
SRI.C.B.MUKUNDAN (THRISSUR)
SRI.M.P.MATHEW (MALAYIL)

RESPONDENT/S:

STATE OF KERALA
REPRESENTED BY THE SECRETARY,
LABOUR AND SKILLS (E) DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695001.

R1 BY SRI.K.V.SOHAN, STATE ATTORNEY

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1651 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 40147/2016 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

POPULAR VEHICLES & SERVICES LIMITED
KUTTUKARAN CENTRE, MAMANGALAM,
KOCHI - 682 025,
REPRESENTED BY IS VICE-PRESIDENT-HR,
MR.JOHNSON MATHEW.

BY ADVS.
SRI.P.BENNY THOMAS
SRI.D.PREM KAMATH

RESPONDENT/S:

- 1 STATE OF KERALA, REPRESENTED BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.
- 2 ASSISTANT LABOUR OFFICER
OFFICE OF THE ASST LABOUR OFFICER,
NEYYATTINKARA, PIN - 695 121.
- 3 UNION OF INDIA
REPRESENTED BY ITS SECRETARY,
MINISTRY OF LABOUR, NEW DELHI - 110 001.

R1 BY SRI.K.V.SOHAN, STATE ATTORNEY
R2 BY GOVERNMENT PLEADER(B/O)
R3 BY SRI.KRISHNADAS P.NAIR, CGC

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1677 OF 2018

AGAINST THE ORDER/JUDGMENT IN WPC 28511/2017 DATED 10-04-2018
OF HIGH COURT OF KERALA

APPELLANT/S:

THOMAS COOK (INDIA) LTD.
HAVING REGISTERED OFFICE AT THOMAS COOK BUILDING,
DR.D.N ROAD, FORT, MUMBAI-400001,
REPRESENTED BY IT'S AUTHORIZED OFFICER,
SUSANTH K.S, GENERAL MANAGER, FOREIGN EXCHANGE,
THOMAS COOK, (INDIA) LTD,
AGED 37 YEARS, RESIDING AT A-4, POOJA GARDENS,
LOTUS APARTMENTS, HOSPITAL ROAD,
THRIPUNITHURA-682301.

BY ADV. SRI.P.M.MOHAMMED SHIRAZ

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT OF KERALA,
DEPARTMENT OF LABOUR AND SKILLS,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695001.
- 2 THE LABOUR COMMISSIONER
VIKAS BHAVAN, THIRUVANANTHAPURAM-695001.

R1-R2 BY SRI.K.V.SOHAN, STATE ATTORNEY

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1925 OF 2018

[AGAINST THE JUDGMENT IN W.P(C).26352 OF 2016 DATD 10.04.2018
OF HIGH COURT OF KERALA.

APPELLANT/S:

INDUS MOTORS CO. (P) LTD.,
THEVARA, ERNAKULAM, KOCHI 682015,
REPRESENTED BY ITS DIRECTOR AFDHEL ABDUL WAHAB.

BY ADVS.
SRI.NAVOD PRASANAN PATTALI
SRI.K.V.KRISHNAKUMAR

RESPONDENT/S:

- 1 STATE OF KERALA,
REPRESENTED BY THE SECRETARY,
LABOUR AND SKILLS (E) DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM 695001.
- 2 FORUM FOR REFORMS INCORPORATE LAWS ,
DEVADATHAN COMPLEX, 1ST FLOOR, PALIYAM ROAD,
NEAR NORTH BUS STAND, THRISSUR-680001,
REPRESENTED BY ITS SECRETARY TOM THOMAS
- 3 VENTURA REALTORS INDIA PVT LTD.,
KONAMTHAI ROAD, EDAPPALY, ERNAKULAM, KOCHI-682015,
REPRESENTED BY ITS MANAGING DIRECTOR PRINCE JOSEPH.
- 4 ALAMPALLY PRESSURE TESTING CO. PVT. LTD.,
PALACE ROAD, ALUVA-682301,
REPRESENTED BY ITS DIRECTOR E T JOSEPH.
- 5 JOY ALUKKAS INDIA PVT LTD.,
REGISTERED OFFICE, ERNAKULAM,
MARINE DRIVE, KOCHI-682031,
REPRESENTED BY ITS DIRECTOR P.P. JOSE.

W.A.979 of 2018 &
connected cases.

- 6 JOY ALUKKAS RETAILS PVT LTD.,
NEAR MALL OF JOY, THRISSUR-680001,
REPRESENTED BY ITS DIRECTOR P.P. JOSE.
- 7 JOY ALUKKAS MONEY EXCHANGE PVT. LTD.
ENNEL BUILDING, OPPOSITE DWARKA HOTEL, M.G. ROAD,
ERNAKULAM, KOCHI-682 016
REPRESENTED BY ITS DIRECTOR P.P.JOSE.
- 8 JOY ALUKKAS LIFE STYLE DEVELOPERS PVT. LTD.
REGISTERED OFFICE, MARINE DRIVE, ERNAKULAM,
KOCHI-682 011,
REPRESENTED BY ITS DIRECTOR P.P.JOSE.
- 9 SAARANG ENTERPRISES
DOOR NO.19/448 20A, VANCHIKULAM ROAD, POOTHOLE,
THRISSUR-680 004,
REPRESENTED BY ITS PROPRIETOR P.O. JOSE.
- 10 ASHLYN CHEMUNNOOR INSTRUMENTS PVT. LTD.
KARIKKATH LANE, MG ROAD, THRSISUR-680 001,
REPRESENTED BY ITS MANAGING DIRECTOR
SUNITHA ASHLYN.
- 11 HOTEL PARAGON
NEAR CH ORBITS, KANNUR ROAD, KOZHIKODE-673 001,
REPRESENTED BY ITS MANAGING RATNAKARAN P.
- 12 HOTEL SAGAR
BESIDE NATIONAL HOSPITAL, MAVOOR ROAD,
KOZHIKODE-673001,
REPRESENTED BY ITS MANAGER MOHAMED ASHRAF.

R1 BY SRI.K.V.SOHAN, STATE ATTORNEY
R5-6 BY ADV. SRI.M.P.MATHEW (MALAYIL)

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1935 OF 2018

AGAINST THE ORDER/JUDGMENT IN WP(C) 35577/2017(V)
OF HIGH COURT OF KERALA

APPELLANT/S:

M/S.IDBI FEDERAL LIFE INSURANCE COMPANY LIMITED
NUMBER U 6601 MH 2007 PLC 164
REGISTERED OFFICE AT 22ND FLOOR
A WING MARATHOB FUTUREX N M JOSHI MARG
LOWER PAREL EAST MUMBAI-400013
REP.BY ITS COCHIN BRANCH HEAD
MR.JOMON AUGUSTHY

BY ADV. SRI.ISSAC M.PERUMPILLIL

RESPONDENT/S:

- 1 THE UNION OF INDIA
REP. BY ITS SECRETARY
MINISTRY OF LABOUR NEW DELHI-110001
- 2 THE STATE OF KERALA
REPRESENTED BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695001.

R1 BY SMT.C.G.PREETHA, CGC
R2 BY SRI.K.V.SOHAN, STATE ATTORNEY

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1938 OF 2018

AGAINST THE ORDER/JUDGMENT IN WP(C) 29121/2017(M)
OF HIGH COURT OF KERALA

APPELLANT/S:

M/S. INDUS TOWERS LTD
CORPORATE IDENTITY NUMBER U92100DL2007PLC170574,
8TH FLOOR, VENKARATH TOWERS,
NH- 47, PALARIVATTOM, KOCHI -24

BY ADVS.
SRI.ISSAC M.PERUMPILLIL
SRI.JIJO PAUL KALLOOKKARAN

RESPONDENT/S:

- 1 THE UNION OF INDIA
REP. BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI -110 001
- 2 THE STATE OF KERALA,
REP. BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM 695001

R1 BY SRI.JAISHANKAR V.NAIR, CGC
R2 BY SRI.K.V.SOHAN, STATE ATTORNEY

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1956 OF 2018

AGAINST THE ORDER/JUDGMENT IN WP(C) 14987/2017(W)
OF HIGH COURT OF KERALA

APPELLANT/S:

M/S. D1 FORTIFICATION PVT.LTD.
CORPORATE IDENTITY NUMBER 025199KA2004PTC033173.
NO.6 AND 7, AMBADY, 1ST MAIN, 1ST CROSS,
DOCTOR'S LAYOUT, B. CHANNASANDRA, BANGALORE,
PIN - 560 043. REP. BY ITS CHIEF FINANCIAL OFFICER,
RANJITH BALAKRISHNAN.

BY ADVS.
SRI.ISSAC M.PERUMPILLIL
SRI.JIJO PAUL KALLOOKKARAN

RESPONDENT/S:

1 THE UNION OF INDIA,
REPRESENTED BY ITS SECRETARY,
MINISTRY OF LABOUR, NEW DELHI-110 001.

2 THE STATE OF KERALA,
REPRESENTED BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695001

R1 BY ASSISTANT SOLICITOR GENERAL OF INDIA (B/O),
R1 BY SRI.JAISHANKAR V.NAIR, CGC
R2 BY ADV. STATE ATTORNEY, K.V.SOHAN

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.2201 OF 2018

AGAINST THE ORDER/JUDGMENT IN WP(C) 14841/2017(E)
OF HIGH COURT OF KERALA

APPELLANT/S:

SABARI DISTRIBUTORS (P) LTD
V/950F, KUTTIKATTUKARA PO, ALUPARAM, KALAMASSERY,
ERNAKULAM DISTRICT, KERALA STATE,
REPRESENTED BY ITS DIRECTOR AND
CHIEF EXECUTIVE OFFICER SHRI M.V. RAJESH

BY ADVS.

SRI.C.B.MUKUNDAN (THRISSUR)

SRI.M.P.MATHEW (MALAYIL)

RESPONDENT/S:

STATE OF KERALA
REPRESENTED BY THE SECRETARY,
LABOUR AND SKILLS (E) DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM- 695001

R1 BY ADV. K.V.SOHAN, STATE ATTORNEY

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.2506 OF 2018

AGAINST THE ORDER/JUDGMENT IN WP(C) 30173/2017(V)
OF HIGH COURT OF KERALA

APPELLANT/S:

AMBASSADOR SECURITY AND DETECTIVE SERVICES
CHIRATHALAT BUILDING, NEAR MEDICAL CENTRE,
NAGAMBADOM, KOTTAYAM
REPRESENTED BY ITS MANAGING PARTNER.

BY ADV. SMT.A.K.PREETHA

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
DEPARTMENT OF LABOUR AND SKILLS, SECRETARIAT,
THIRUVANANTHAPURAM-695001.
- 2 ASSISTANT LABOUR OFFICER,
2ND CIRCLE, OFFICE OF THE ASSISTANT LABOUR OFFICE,
KOTTAYAM-686001.

R1-R2 BY ADV. K.V.SOHAN, STATE ATTORNEY

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.760 OF 2019

AGAINST THE ORDER/JUDGMENT IN WP(C) 26352/2016(T)
OF HIGH COURT OF KERALA

APPELLANT/S:

- 1 JOYALUKKAS INDIA (P) LTD.
REGISTERED OFFICE, ERNAKULAM MARINE DRIVE,
KOCHI- 682031, REPRESENTED BY ITS DIRECTOR,
P.P.JOSE.
- 2 JOYALUKKAS RETIAL PVT.LTD.,
REGISTERED OFFICE, NEAR MALL OF JOY,
THRISSUR- 680001,
REPRESENTED BY ITS DIRECTOR JOSEPH CHRISTO.

BY ADVS.

SRI.C.B.MUKUNDAN (THRISSUR)

SRI.M.P.MATHEW (MALAYIL)

RESPONDENT/S:

- 1 STATE OF KERALA,
REPRESENTED BY THE SECRETARY,
LABOUR AND SKILLS (E) DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM- 695001.
- 2 FORUM FOR REFORMS IN CORPORATE LAWS,
DEVADATHAM COMPLEX, 1ST FLOOR, PALIYAM ROAD,
NEAR NORTH BUS STAND, THRISSUR- 680001,
REPRESENTED BY ITS SECRETARY SRI.TOM JOSE.
- 3 VENTURA REALTORS INDIA PVT.LTD.,
KOONANTHAI ROAD, EDAPPALLY, ERNAKULAM,
KOCHI- 682024, REPRESENTED BY ITS MANAGING DIRECTOR
SRI.PRINCE JOSEPH.

- 4 INDUS MOTOR CO.(P)LTD.,
THEVARA, ERNAKULAM, KOCHI- 682015,
REPRESENTED BY ITS DIRECTOR SRI.AFDHEL ABDUL WAHAB.
- 5 ALAMPALLY PRESSURE TESTING CO.PVT.LTD.,
PALACE ROAD, ALUVA, PIN- 682301,
REPRESENTED BY ITS DIRECTOR SRI.E.T.JOSEPH.
- 6 JOYALUKKAS MONEY EXCHANGE PVT. LTD.,
ENNEL BUILDING, OPPOSITE DWARAKA HOTEL,
M.G.ROAD, ERNAKULAM, KOCHI- 682016,
REPRESENTED BY ITS DIRECTOR SRI.P.P.JOSE.
- 7 JOYALUKKAS LIFE STYLE DEVELOPERS PVT.LTD.,
REGISTERED OFFICE, MARINE DRIVE, ERNAKULAM,
KOCHI-682031,
REPRESENTED BY ITS DIRECTOR SRI.P.P.JOSE.
- 8 SAARANG ENTERPRISES,
DOOR NO.19/458 20A, VANCHIKULAM ROAD, POOTHOLE,
THRISSUR- 680004.
REPRESENTED BY ITS PROPRIETOR SRI.P.O.JOSE.
- 9 ASHLYN CHEMUNNOOR INSTRUMENTYS PVT.LTD.,
KARIKKATH LANE, M.G.ROAD, THRISSUR, PIN- 680001,
REPRESENTED BY ITS MANAGING DIRECTOR
SUNITHA ASHKYIN.
- 10 HOTEL PARAGON,
NEAR CH ORBITS, KANNUR ROAD, KOZHIKODE- 673001,
REPRESENTED BY ITS MANAGER, SRI.RATHNAKARAN.P.
- 11 HOTEL SAGAR,
BESIDE NATIONAL HOSPITAL, MAVOOR ROAD,
KOZHIKODE- 673001,
REPRESENTED BY ITS MANAGER, SRI.MOHAMMED ASHRAF.

R1 BY SRI.K.V.SOHAN, STATE ATTORNEY
R2 BY ADV. R.SUNIL KUMAR
R2 BY ADV. A.SALINI LAL

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.887 OF 2019

AGAINST THE ORDER/JUDGMENT IN WP(C) 21031/2017(D)
OF HIGH COURT OF KERALA

APPELLANT/S:

EUREKA FORBES LIMITED
4TH FLOOR, TUTUS TOWER, 32/1787,
A-5 NH BY-PASS ROAD, PADIVATTOM, KOCHI-682 024,
REPRESENTED BY ITS ASSISTANT OFFICER-ACCOUNTS,
SRI L.GANESH

BY ADV. SRI.P.RAMAKRISHNAN

RESPONDENT/S:

STATE OF KERALA, REPRESENTED BY THE SECRETARY,
LABUR AND SKILLS (E) DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM 695 001.

R1 BY SRI.K.V.SOHAN, STATE ATTORNEY

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.1946 OF 2019

AGAINST THE ORDER/JUDGMENT IN WP(C) 22334/2019(N)
OF HIGH COURT OF KERALA

APPELLANT/S:

- 1 MINI MUTHOOTTU NIDHI KERALA LIMITED
2/531, MUTHOOTTU BUILDINGS, KOZHENCHERRY,
PATHANAMTHITTA-689 641,
REPRESENTED BY ITS DIRECTOR SRI.ROY MATHEW.
 - 2 NIZZY MATHEW,
AGED 65 YEARS
D/O.ABRAHAM P. GEORGE, FLAT NO.9C,
JOMER HAVEN, PALIYAM ROAD, ERNAKULAM.
- BY ADV. SRI.NAVOD PRASANNAN PATTALI

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001.
 - 2 UNION OF INDIA,
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI- 110 001.
- R1 BY SRI.K.V.SOHAN, STATE ATTORNEY (B/O)
R2 BY ADV. CENTRAL GOVERNMENT COUNSEL(B/O)

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WA.No.2077 OF 2019

AGAINST THE ORDER/JUDGMENT IN WP(C) 5399/2019(Y)
OF HIGH COURT OF KERALA

APPELLANT/S:

- 1 M/S.CHECKMATE SERVICES PVT.LTD.,
C.C.39/2761, T.G.GOPINATH LANE, DIWANS ROAD,
ERNAKULAM, KOCHI-16,
REPRESENTED BY ITS DEPUTY GENERAL MANAGER
(OPERATIONS) SHRI.VINAYAKAN.M.T.

- 2 M/S.CHECKMATE FACILITY AND ELECTRONICS SOLUTIONS
PVT.LTD.,
C.C.39/2761, T.G.GOPINATH LANE, DIWANS ROAD,
ERNAKULAM, KOCHI-16,
REPRESENTED BY ITS DEPUTY GENERAL MANAGER
(OPERATIONS) SHRI.VINAYAKAN.M.T.

BY ADVS.

SRI.C.B.MUKUNDAN (THRISSUR)

SRI.M.P.MATHEW (MALAYIL)

RESPONDENT/S:

STATE OF KERALA,
REPRESENTED BY THE SECRETARY,
LABOUR AND SKILLS (E) DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM- 695001.

R1 BY SRI.K.V.SOHAN, STATE ATTORNEY.

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 16-01-2020,
ALONG WITH WA.979/2018 AND CONNECTED CASES, THE COURT ON
23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WP(C).No.23631 OF 2018

PETITIONER/S:

THE PROFESSIONAL COURIERS COCHIN SOUTH PRIVATE LIMITED
VIVEKANANDA ROAD, VENNALA P.O., KOCHI-682 028,
REPRESENTED BY ITS MANAGING DIRECTOR, SURESH BHARATHAN.

BY ADVS.

SRI.P.RAMAKRISHNAN

SRI.C.ANIL KUMAR

SMT.ASHA K.SHENOY

SRI.T.C.KRISHNA

SMT.PREETHI RAMAKRISHNAN (P-212)

SRI.PRATAP ABRAHAM VARGHESE

RESPONDENT/S:

STATE OF KERALA

REPRESENTED BY THE SECRETARY,

LABOUR & SKILLS (E) DEPARTMENT,

GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
16-01-2020, ALONG WITH WA.979/2018 AND CONNECTED CASES, THE
COURT ON 23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WP(C).No.23736 OF 2018

PETITIONER/S:

M/S. BATA INDIA LIMITED
BATA HOUSE, 418/02 SECTOR - 17,
GURGAON MEHRAULI ROAD,
GURGAON - 122001, HARYANA
REPRESENTED BY ITS AUTHORIZED SIGNATORY,
MR.SANDEEP KRISHNAN.

BY ADVS.
SRI.P.BENNY THOMAS
SRI.D.PREM KAMATH
SRI.S.S.VISWAJITH ANAND

RESPONDENT/S:

- 1 STATE OF KERALA, REPRESENTED BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM- 695 001.
- 2 ASSISTANT LABOUR OFFICER
II CIRCLE, PALAKKAD, THOZHIL BHAVAN,
PALAKKAD - 678 013.
- 3 UNION OF INDIA
REPRESENTED BY ITS SECRETARY,
MINISTRY OF LABOUR, NEW DELHI - 110 001.

R1 & R2 BY SRI.K.V.SOHAN, STATE ATTORNEY.
R3 BY ADV. SRI.GIRISH KUMAR.V., CGC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
16-01-2020, ALONG WITH WA.979/2018 AND CONNECTED CASES, THE
COURT ON 23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WP(C).No.24365 OF 2018

PETITIONER/S:

M/S.MAHINDRA RURAL HOUSING FIANCE LTD
BUILDING NO. 631/A 41, 3RD FLOOR, AMBAMY TOWERS,
EDAPALLY TOLL JUNCTION, COCHIN 682 024,
REPRESENTED BY ITS AUTHORISED SIGNATORY,
MR. A.SELTRAN.

BY ADVS.
SRI.P.BENNY THOMAS
SRI.D.PREM KAMATH
SRI.S.S.VISWAJITH ANAND

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM 695 001.
- 2 ASSISTANT LABOUR OFFICER
ALAPPUZHA 2ND CIRCLE, ALAPPUZHA 688 013.
- 3 UNION OF INDIA
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI 110 001.

R1 & R2 BY SRI.K.V.SOHAN, STATE ATTORNEY.
R3 BY ADV. SRI.JAISHANKAR V.NAIR, CGC.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
16-01-2020, ALONG WITH WA.979/2018 AND CONNECTED CASES, THE
COURT ON 23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WP(C).No.37783 OF 2018(W)

PETITIONER/S:

EIH ASSOCIATED HOTELS LTD
UNIT TRIDENT COCHIN, BRISTOW ROAD, WILLINGDON
ISLAND, COCHIN 682003, REPRESENTED BY ITS GENERAL
MANAGER, MR. JISHNU VELIATH

BY ADVS.
BENNY P. THOMAS
SRI.D.PREM KAMATH
SMT.S.MAHITHA

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM -695001
- 2 ASSISTANT LABOUR OFFICER,
KOCHI, 1ST CIRCLE, KALVATHI ROAD, KALVATHY,
FORT KOCHI, KERALA-682 001
- 3 UNION OF INDIA,
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI-110001

R1-R2 BY SRI.K.V.SOHAN, STATE ATTORNEY
R3 BY SRI.S.VAIDYANATHAN, CGC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
16-01-2020, ALONG WITH WA.979/2018 AND CONNECTED CASES,
THE COURT ON 23-01-2020 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WP(C).No.6090 OF 2019(I)

PETITIONER/S:

M/S. TRANS ASIAN SHIPPING SERVICES (P) LTD.,
TRANS ASIA CORPORATE PARK, XN/396-C,
SEAPORT AIRPORT ROAD, CHITTETHUKARA,
KAKKANAD, COCHIN-682037,
REPRESENTED BY ITS EXECUTIVE DIRECTOR
MR. WILSON THOMAS.

BY ADVS.
SRI.ELVIN PETER P.J.
SRI.K.R.GANESH

RESPONDENT/S:

- 1 STATE OF KERALA,
REPRESENTED BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM-695001.
- 2 UNION OF INDIA,
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI-110001.
- 3 THE ASSISTANT LABOUR COMMISSIONER,
FIRST CIRCLE, KAKKANAD, ERNAKULAM-682030.

R1, R3 BY SRI.K.V.SOHAN, STATE ATTORNEY
R2 BY SRI.RAJAGOPALAN.A., CGC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
16-01-2020, ALONG WITH WA.979/2018 AND CONNECTED CASES, THE
COURT ON 23-01-2020 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WP(C).No.13807 OF 2019(A)

PETITIONER/S:

M/S.SHRIRAM TRANSPORT FINANCE CO.LTD.
OLIVE ARCADE, NEAR ST.JOSEPH HOSPITAL,
MANANTHAVADY, WAYANAD-670645
REPRESENTED BY ITS AUTHORIZED SIGNATORY,
MR.LAISON BIJU.

BY ADVS.
SRI.P.BENNY THOMAS
SRI.D.PREM KAMATH

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT, T THIRUVANANTHAPURAM-695001
- 2 ASSISTANT LABOUYR OFFICER
II CIRCLE, PALAKKAD, THOZHIL BHAVAN,
PALAKKAD-678013
- 3 UNION OF INDIA
REPRESENTED BY ITS SECRETARY,
MINISTRY OF LABOUR, NEW DELHI-110001.

R1 & R2 BY SRI.K.V.SOHAN, STATE ATTORNEY
R3 BY ADV. SHRI.P.VIJAYAKUMAR, ASG OF INDIA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
16-01-2020, ALONG WITH WA.979/2018 AND CONNECTED CASES, THE
COURT ON 23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WP(C).No.18071 OF 2019(H)

PETITIONER/S:

ECOM EXPRESS PVT.LTD.
ADDRESS 733,10TH A MAIN, 10TH CROSS INDIRA NAGAR,
BANGALORE 560 038
REPRESENTED BY ITS REGIONAL CONTROLLER-FINANCE
GAURAV KUMAR NANDA

BY ADVS.
SRI.SANTHOSH MATHEW
SRI.ARUN THOMAS
SRI.JENNIS STEPHEN
SRI.VIJAY V. PAUL
SMT.KARTHIKA MARIA
SRI.ANIL SEBASTIAN PULICKEL

RESPONDENT/S:

1 UNION OF INDIA,
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI 110 001

2 STATE OF KEREALA,
REPRESENTED BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT, SECRETARIAT,
TRIVANDRUM 695 001

R1 BY SMT.SINDHUMOL.T.P., CGC
R2 BY SRI.K.V.SOHAN, STATE ATTORNEY.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
16-01-2020, ALONG WITH WA.979/2018 AND CONNECTED CASES, THE
COURT ON 23-01-2020 DELIVERED THE FOLLOWING:

W.A.979 of 2018 &
connected cases.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

&

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 23RD DAY OF JANUARY 2020 / 3RD MAGHA, 1941

WP(C).No.24859 OF 2019(F)

PETITIONER/S:

BHARAT FINANCIAL INCLUSION LIMITED,
(FORMERLY INDUSIND FINANCIAL INCLUSION LIMITED)
NAKSHATRA ARCADE, OLD POST OFFICE ROAD,
VENNALA P.O., COCHIN-682028,
REPRESENTED BY ITS REGIONAL MANAGER.

BY ADVS.
SRI.P.BENNY THOMAS
SRI.D.PREM KAMATH

RESPONDENT/S:

- 1 STATE OF KERALA,
REPRESENTED BY ITS SECRETARY,
LABOUR AND WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695001.
- 2 ASSISTANT LABOUR OFFICER,
2ND CIRCLE, ALAPPUZHA-688013.
- 3 UNION OF INDIA,
REPRESENTED BY ITS SECRETARY, MINISTRY OF LABOUR,
NEW DELHI-110001.

R1 & R2 BY SRI.K.V.SOHAN, STATE ATTORNEY.
R3 BY ADV. SHRI.P.VIJAYAKUMAR, ASG OF INDIA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
16-01-2020, ALONG WITH WA.979/2018 AND CONNECTED CASES, THE
COURT ON 23-01-2020 DELIVERED THE FOLLOWING:

"C.R."

K.Vinod Chandran & V.G.Arun, JJ.

WA.979/2018, WA.978/2018, WA.980/2018, WA.981/2018,
 WA.982/2018, WA.983/2018, WA.984/2018, WA.985/2018,
 WA.986/2018, WA.987/2018, WA.988/2018, WA.989/2018,
 WA.990/2018, WA.992/2018, WA.1021/2018, WA.1042/2018,
 WA.1077/2018, WA.1079/2018, WA.1080/2018, WA.1115/2018,
 WA.1123/2018, WA.1137/2018, WA.1141/2018, WA.1169/2018,
 WA.1170/2018, WA.1171/2018, WA.1172/2018, WA.1173/2018,
 WA.1174/2018, WA.1176/2018, WA.1177/2018, WA.1187/2018,
 WA.1189/2018, WA.1190/2018, WA.1191/2018, WA.1192/2018,
 WA.1193/2018, WA.1195/2018, WA.1198/2018, WA.1199/2018,
 WA.1200/2018, WA.1207/2018, WA.1208/2018, WA.1209/2018,
 WA.1210/2018, WA.1212/2018, WA.1215/2018, WA.1216/2018,
 WA.1217/2018, WA.1219/2018, WA.1220/2018, WA.1224/2018,
 WA.1225/2018, WA.1233/2018, WA.1234/2018, WA.1236/2018,
 WA.1237/2018, WA.1238/2018, WA.1240/2018, WA.1241/2018,
 WA.1242/2018, WA.1243/2018, WA.1244/2018, WA.1246/2018,
 WA.1247/2018, WA.1253/2018, WA.1254/2018, WA.1256/2018,
 WA.1257/2018, WA.1265/2018, WA.1266/2018, WA.1267/2018,
 WA.1268/2018, WA.1269/2018, WA.1270/2018, WA.1271/2018,
 WA.1272/2018, WA.1273/2018, WA.1274/2018, WA.1275/2018,
 WA.1281/2018, WA.1294/2018, WA.1295/2018, WA.1325/2018,
 WA.1326/2018, WA.1327/2018, WA.1332/2018, WA.1355/2018,
 WA.1366/2018, WA.1368/2018, WA.1383/2018, WA.1400/2018,
 WA.1435/2018, WA.1436/2018, WA.1438/2018, WA.1449/2018,
 WA.1510/2018, WA.1523/2018, WA.1632/2018, WA.1651/2018,
 WA.1677/2018, WA.1925/2018, WA.1935/2018, WA.1938/2018,
 WA.1956/2018, WA.2201/2018, WA.2506/2018,
 WA.760/2019, WA.887/2019, WA.1946/2019, WA.2077/2019,
 WP(C).23631/2018, WP(C).23736/2018, WP(C).24365/2018,
 WP(C).37783/2018, WP(C).6090/2019, WP(C).13807/2019,
 WP(C).18071/2019 & WP(C).24859/2019.

Dated this the 23rd day of January, 2020JUDGMENTK. Vinod Chandran, J:

A laudable objective, in tune with current technological advancements, to ensure payment of minimum wages to the employees, mainly of the un-organized sector, is challenged on the ground of the rule being *ultra vires*,

illegal and the procedure prescribed cumbersome, unworkable and unreasonable. We cannot but observe at the outset that essentially the challenge arise from the reluctance to adapt to change especially to a digital platform which also is alleged to be fraught with evils that often does not meet the eye; infringing the privacy of the employer and the employee. The State, on the other hand, asserts that the virtual world is a reality and the technological improvements over the years should inform the interpretation of statutes, failing which the citizens would be deprived of the benefit of the welfare measures effectively implemented through the digital arena.

2. The challenge is against the amendments made to the Kerala Minimum Wages Rules, 1958 by notification dated 08.07.2015. The notification is produced as Exhibit P1 in W.P(C) 25590 of 2017, from which W.A.No.979 of 2018 arises; the documents in which are referred to in the course of this judgment unless otherwise specifically referred. Exhibit P1, the Kerala Minimum Wages (Amendment) Rules, 2015; introduced a procedure by which *inter alia* the payment of wages has been enabled through a Wage Payment System ('WPS' for short) facilitated under the information technology. The employers of those scheduled employments as specified in the Appendix are required to submit

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electronically or upload an I.T. Enabled 'Register of Employment and Wages' in the form prescribed. It is also mandated that the employers shall pay and disburse the wages to the employees only through individual bank accounts. There are also provisions under Rule 29 to make the WPS effective and ensure that the regulatory measures are in place. Sub-rule (4A) of Rule 29 requires the 'Register of employment and wages' in Form XIV to be authenticated by the employer or by an authorized person prior to the submission or the uploading of the same in the WPS. Sub-rule (4B) confers power on the Inspector authorized by the Labour Commissioner to electronically authenticate the submitted or uploaded form, which authenticated form shall be maintained as duly signed either physically or in the electronic media. Sub-rule (4C) requires the Bank account numbers of the employees entered in Form XIV for effecting payment of wages through Banks, by the employers. The Register in Form XIV shall be electronically submitted or uploaded in the WPS at least three days prior to the crediting of wages in the individual bank accounts of the employees as per Sub-rule (4D). Sub-rule (4E) prescribes that the employers covered under WPS to issue electronically generated wage slip to all its employees through the System at least a day prior

to effecting payment of wages. The newly introduced Rule 29C provides exemption to the employers insofar as the maintenance of certain Registers, on the System being enabled.

3. Learned Counsel Sri.Benny P.Thomas first contended that the power conferred on the Central Government under the Minimum Wages Act, 1948 [for brevity 'Minimum Wages Act'] does not extend to the various prescriptions made in the present amendment. It is argued that there can be no insistence that the wages should be paid only through Bank accounts. It is pointed out that Form XIV, which accompanies the amendment has about 44 columns, many of which are irrelevant insofar as the payment of minimum wages. The requirements necessitate a cumbersome procedure, which does not serve any purpose, according to the employers. It is argued that the amendment to the Payment of Wages Act, 1936 [for brevity 'Wages Act'] relied on by the Government to substantiate the prescription of payment through Bank accounts was brought in after the Rules were amended.

4. Sri.Adarsh Kumar, learned Counsel, argued that the subordinate legislation brought out by the Government under the Minimum Wages Act, which makes mandatory procedures, are already made under other enactments. The

attempt of the State is to make a consolidated labour enactment, for which there is no power conferred under the Minimum Wages Act. The subordinate legislation is clearly *ultra vires*, especially looking at Section 11, which mandates payment of wages in cash. Further it is argued that the provisions made and the details required warrant disclosure of confidential information, which put the employer and the employee to prejudice and result in impinging their right to privacy. As an example, it is pointed out that the 'Other Allowance' as required to be divulged in Form XIV, in the case of doctors, may result in difficulties to those Doctors to whom such payment is made. An expert doctor's charges may vary from others equally qualified and, hence, there could be no such disclosure made which would not in any manner come under the purview of the enactment ensuring payment of minimum wages. Sri.Adarsh Kumar asserts that his arguments are not based on any hardship or inconvenience, but on the ground of there being no enabling provision to make the provisions as of now, invoking the power under the Minimum Wages Act. Reliance is placed on Bidi, Bidi Leaves and Tobacco Merchant's Association v. Bombay State [AIR 1962 SC 486], Cellular Operators Association of India v. TRAI [(2016) 7 SCC 703], Kerala Samsthana Chethu Thozhilali Union v.

State of Kerala [(2006) 4 SCC 327] and an unreported decision of this Court in Insurance Appeal No.43 of 2010 dated 17.05.2016 [Regional Director, ESI Corporation v. Uno Security Services].

5. Sri.K.K.Premlal, learned Counsel also appearing for the appellants, produces before us the WPS Manual as downloaded from the website of the Kerala Government. It is specifically pointed out that the website provides about 16 Banks to which the payments are to be made directly through the System. It is, hence, argued that the Government does insist on payment through the Department, ie: through the WPS. It is pointed out that there can be no insistence on the employees to open a Bank account, much less direct them so to do in a particular Bank or Banks. Malabar Cancer Centre Society v. Dinesh Kumar [2018 (2) KLT 140] is relied on to argue that this court had held that the employer cannot insist their employees to open an account in a particular Bank. When the provisions in the Act prescribe payment of minimum wages in cash, a violation would entail invocation of the penal clauses under the Rules, which, at this point, would extend to a fine of Rs.2 lakhs. It is pointed out that an employee if he refuses to open an account in a Bank and insists payment in cash, the employer would necessarily have to do that. In that event, it would

be in consonance with the Act; but, however, in violation of the prescription in the Rules. *Vice versa*, if there is a payment in accordance with the Rules, it could be in direct conflict with the provisions in Section 11.

6. Sri.K.V.Sohan, learned State Attorney, would, however, urge us to take an interpretation keeping in mind the technological advancements made over the years. It is pointed out that the learned Single Judge himself has appreciated the move of the State Government in having taken recourse to information technology to ensure compliance of the provisions of the Act without conducting physical verification of the records. The ground raised of infringement of privacy is not at all substantiated, since the details sought for are otherwise required to be maintained by the employer, which can also be accessed by the officers of the Department who has the power to inspect the establishments. On Section 11, it is asserted that a payment through the Bank is also in cash and we have to take note of the rapid strides made by the entire world generally in technology and this Country, particularly in Banking. The payment in cash would take in payment through Bank account also, is the specific argument raised by the State. It is also pointed out that the power conferred on the State definitely permits such a measure to be adopted

in effecting supervision and implementation of the Minimum Wages Act.

7. We broadly agree with the findings of the learned Single Judge except on one aspect, which we will deal with a little later. It has been rightly argued by some of the petitioners that they do not take up the ground of undue hardship to challenge the amendment to the Rules, rightly so. Nor can the measure directing uploading of details in the System manned by the Department said to be against the statute, i.e., the Minimum Wages Act. As has been held in Khoday Distilleries Ltd. v. State of Karnataka [(1996) 10 SCC 304], a subordinate legislation can be questioned on the ground of unreasonableness not in the sense of it being 'not reasonable', but in the sense that it is manifestly unjust. There can be alleged no manifest arbitrariness especially insofar as the details sought for in Form XIV, already have to be recorded in the physical form in Registers maintained as provided under the Act and the Rules. Form V under the Kerala Rules is the 'Over-time Register For Workers' which require the normal working hours the overtime work carried out and the normal as also the overtime wages to be recorded. The 'Muster Roll' in Form VI records the entire details of the workman. Form XI the 'Register of Wages' already requires all deductions

including those contributed to the PF and ESI to be recorded and maintained. The requirement as per the amendment is only to provide the same digitally as per the details charted out in Form XIV and uploaded in the website of the Department *inter alia* for ease of inspection and supervision and better management of the regulatory measure. Further the Ease of Compliance to Maintain Registers Under Various Labour Laws Rules, 2017 is the consolidated regulatory measure prescribed under which Form B takes in almost all the heads provided in Form XIV of the Amended Rules.

8. As has been rightly noticed by the learned Single Judge, there can be no ground taken of the maintenance of records digitally being against the provisions of the Act, since Sections 6 & 7 of the Information Technology Act, 2000 validates digital maintenance of documents, records or information which are to be maintained under any law and deems it to be a proper maintenance as per that enactment. It cannot also be alleged that there is a cumbersome procedure, since what has been earlier mandated to be physically recorded in Registers has now been directed to be recorded in the electronic media. In the amendment, we specifically notice that on Form XIV being maintained as prescribed there

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under, there are exemptions provided under Rule 29C from maintaining the Register of Fines in Form I, Register of Deduction of Damage or Loss Caused to the Employee in Form II, Over Time Register for Workers in Form V and Register of Wages in Form XI; which we have already referred to. As we noticed at the outset, the ground of hardship and cumbersome procedure are only raised for reason of reluctance to shift to a digital form, a total changeover from the earlier mundane practice of recording details in a worn out Register; which could also be substituted or manipulated.

9. There have also been instances of two registers being maintained, with one recording the correct details and the other offered to the inspecting officials. Violation was the norm, since it was impossible for the limited officers of the Department implementing the labour welfare enactments to carry out even periodic inspection of all the establishments within their jurisdiction, which proportionately are numerous. The maintenance of Registers, which is mandatory as per the enactment by the aforesaid provisions, is possible of supervision immediately for reason of the employer obliged to upload the same with the details of payments made to the workmen/employees every month prior to the payment of wages. An officer could

verify the details of all the establishments under his jurisdiction and ensure that the same has been uploaded in the electronic media by a few clicks on his Personal Computer sitting in his office. This also enables identification of the erring establishments against whom physical inspection can be done making the implementation of the Act more effective.

10. In the context of uploading of Form XIV, there was an argument addressed that Section 2(h) of the Minimum Wages Act, defines 'wages' as remuneration, expressed in terms of money, if the terms of the contract of employment, express or implied, were fulfilled. If the terms are not fulfilled, there can be no payment of wages and hence there could be no uploading of evidence of payment of wages in advance. We need only notice the argument to reject it, since the payment of wages as per the Wages Act by Section 5 is required to be paid only after the expiry of the 7th or 10th day, after the last day of the wage period in respect of which the wages are payable. The Minimum Wages Act does not fix any time. Invariably the wages are paid on a monthly basis and wage period is taken as a month comprising of 30 or 31 days. Then the requirement to pay arises only before the 7th or 10th day of the next month. The wage period ends on the last of the month and the

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requirement is only to upload Form XIV in the website of the Department three days before the actual payment is made ie; before the 7th or 10th day of the next month. The wage slip generated electronically is also required to be issued to the employee only on the date before which the actual payment is effected. Definitely the receipt as required under the Minimum Wages Act can be taken from the employee after such payment is effected. We do not find any difficulty in entering of the details as required under Form XIV or for effectuating the uploading three days prior to the payment of wages and the wage slip being issued one day before the actual payment is effected.

11. We also agree with the finding of the learned Single Judge that there is no merit in the contention that many of the information required to be entered in Form XIV has nothing to do with the Act, statute or its object. The submission of the petitioners that the prescription is in the manner of a consolidation of all labour enactments and the same is not permissible under the Minimum Wages Act has already been found by us to have no legs to stand. We do not find any difficulty insofar as all the details sought for are with respect to payments made to the employee by an employer, which, in any event, is income in the hands of the employee over which no secrecy can be claimed. Column

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Nos.26, 27 and 28 were proposed to be deleted and the same is carried out, evident from the notification dated 26.04.2017, substituting Form XIV, produced as Ext.R1(C) along with the Counter affidavit in W.P.(C) 18055 of 2016. What we have earlier said applies to all the other columns in Ext. R1(c). The argument seems to be on the ground that Form XIV also insist for details with respect to payment to Employees Provident Fund, Employees State Insurance, any Welfare Fund, Professional Tax and Tax Deducted at Source, which are all levies under the various enactments; the majority of them also being welfare measures for the employees.

12. Before proceeding further, we notice the decision of the Hon'ble Supreme Court in Workmen, Represented by Secretary v. Reptakos Brett & Co.Ltd. [(1992) 1 SCC 290]. This very Division Bench had noticed the aforesaid decision in K.N.B.F.C.W.A. v. State of Kerala [2019 (4) KLT 977] and spoken as follows:

"27. We notice that Reptakos Brett & Co. referred to the norms for fixation of minimum wage as accepted by the Tripartite Committee of the Indian Labour Conference held in New Delhi in 1957 and keeping in view the socio-economic aspect of the wage structure added one more additional component as a guide for fixing the minimum wage in the industry. Briefly stated, these six factors

are: (i) the standard working class family to be taken to consist of three consumption units for one earner, (ii) minimum food requirement should be that essential for an average Indian Adult of moderate activity, (iii) clothing requirements to be estimated at per capita consumption of 18 yards per annum, (iv) rent with respect to housing should correspond to the minimum area provided under Government's Industrial Housing Scheme (v) fuel, lighting and other 'miscellaneous' items of expenditure constituting 20% of the total minimum wage and (vi) children's education, medical requirement, minimum recreation and provision for old age marriages etc. constituting a further 25% of the total minimum wage.

28. Reptakos Brett & Co. Ltd. though provides for the components to be looked into while fixing the minimum wage does not provide for components in addition to the minimum wages fixed. By providing for reckoning fuel, lighting, education, medical requirement etc. as factors to be reckoned in prescribing minimum wages; constituting another 20% & 25% of the total minimum wages, the indication is clear and explicit. The Government, while fixing the minimum wages, could take into account the many factors and fix the basic wages at a certain extent, of which 20% would take care of that one factor and 25% would constitute that other factor. For example if on the first four factors the Government fixed Rs.1000/- then Rs.200/- should be added for that one factor and Rs. 250/- for that other factor; which brings the total minimum wages

to Rs.1,450/-. The Government cannot separately provide specific amounts for housing, lighting, fuel, travel on official work or medical reimbursement. It does not provide for a separate component to be granted. That is the declaration made in Bidi, Bidi Leaves and Tobacco Merchants Association and Hindustan Sanitaryware and Industries Ltd. [AIR 2019 SC 2194]".

13. The minimum wages provided is an amount taking in all factors, assuring the employee and his family a dignified living condition. It cannot be doubted that the regulatory measures with respect to the other labour welfare enactments does not lie with the regulatory measure under the Minimum Wages Act, though it is a fact that the very same Department is enjoined with implementation of many welfare enactments. We are not upholding the measure only because of the very same Department being involved in the majority of labour welfare measures. The Minimum Wages Act is one brought in with the avowed objective of ensuring minimum wages to an employee not for mere sustenance but a dignified living condition for himself and his family. The details of all payments and deductions made to and from him would assume relevance. As found by the learned Single Judge the disclosure of all allowances paid to the employee, benefits the employer also, in satisfying the

authorities of due compliance under the Minimum Wages Act. More importantly, it ensures that deductions are not made in excess of what is mandated under the other enactments; which results in depriving the employee of such benefit. If it is said that only the wages paid has to be looked into by the Department, then the employer could merely make deductions under the other enactments in excess of that required; which an illiterate employee or one from the marginalized section of society may not be aware of. When the requirement under the enactment is for payment of minimum wages, which has been held by the Hon'ble Supreme Court to be not merely for the bare subsistence of life, necessarily the various deductions made from the employee's wages to satisfy the levies under the welfare enactments assumes relevance and significance. On the above reasoning, we reject the contention of the petitioners that the details called for in Form XIV travels beyond the scope of the Minimum Wages Act.

14. One other contention urged was with respect to infringement of privacy. In fact, it was vehemently set up as an example; of an expert doctor whose charges for consultation, treatment and surgery would differ. It is an admitted fact that there is no prescription made of minimum wages for doctors. But the contentions still remain that

the details of various payments to the employee necessarily would reflect on the business of the employer and an access to such details by the public would put the business in unhealthy competition and create unknown hurdles. The learned Single Judge in repelling all these contentions on infringement of privacy has relied on the pleadings of the State Government in its statement dated 30.05.2016, affidavit dated 04.06.2016 and the counter affidavit dated 10.07.2017 in W.P(C)No.18055 of 2016. It is asserted that there is no private employee information that is required to be divulged in the data furnished in terms of the amended rules. On this aspect, we have to pertinently notice that the bonus paid, maternity benefits allowed and the arrears paid, which were required under Columns 26, 27 and 28 of Form XIV are now deleted, which alone could be asserted to be of a very personal nature. It has also been categorically stated by the Government that Form XIV uploaded in the website of the Department would not be accessible to the public and can only be viewed by the employer and the jurisdictional Inspectors. The System is password protected and login is permitted only by using the unique ID and password allotted to the individual employer as also to the jurisdictional Inspectors. No employee can view the details of another in the website and it is hence

that the employee is required to be issued an electronically generated wage slip; the employee being concerned only about the details of his wages. The question of misuse of the data furnished does not at all arise for reason of the safeguards ensured. As far as the jurisdictional officers are concerned, necessarily they are entitled to view such details even on a physical inspection & verification and their access through the electronic media cannot at all be questioned or challenged. Thus viewed, there arises no question of infringement of privacy. The ground of infringement of privacy cannot also be raised on the sole ground of a mere apprehension of, a malfunctioning of or an illegal penetration into, the System. Man, as has been famously said, is not an island. He is essentially a social animal and none, other than a total recluse, would seclude himself only for fear of bodily harm or the apprehensions of trespass and destruction of property. Every mandate of law, especially in a regulatory measure, then could be challenged on allegations of probable misuse or illegal bypassing of the safeguards which result in perceived infringement of privacy. That cannot be a sustainable ground for setting aside a valid subordinate legislation enacted with competence, in conformity with the statute, without

repugnancy, neither with manifest arbitrariness or unreasonableness nor vitiated by violation of fundamental rights [State of T.N. v. P.Krishnamurthy [(2006) 4 SCC 517]].

15. One other contention raised is of discrimination insofar as the Schedule as per the Amendment including only six scheduled employments. But for the mere allegation of discrimination raised for reason of inclusion of their industry, it has not been alleged as to any equally placed industry having been excluded. The State, in its wisdom, has picked certain industries for initial coverage under the Amended Rules, which has been introduced for the first time. On looking at the industries specified, we presume; no other specific ground of discrimination having been raised, that the State first picked up those industries wherein the employees are evidently unorganized and the number of employees far less than other establishments. It is also stated in the counter affidavit of the State that they had first verified the WPS, by including 270 willing establishments, who had uploaded the details and even paid the wages through the system. A factory or a plantation having an active labour force informed in the politics and varying equations of the management-employee tussle, stand apart from shops and

establishments, private hospitals, dispensaries, para medical institutions, star hotels, security services, computer software and private educational institutions (non-teaching). The specific ground argued was that a teaching institution has been excluded, which, obviously, is for reason of the work force being more informed and even the non-teaching staff in the said establishment having access to informed people in the form of teachers who make the majority of the work force. We do not find any reason to accept the ground of discrimination.

16. Now we come to the aspect of the difference of opinion we have from the findings of the impugned judgment, especially paragraphs 10 and 11, which upheld the prescription in the Amendment for payment of wages through individual Bank accounts as has been provided under sub-rule (2) of Rule 21A. The learned Single Judge has accepted the contention of the State, finding that Section 11 of the Minimum Wages Act should be understood in the background of Section 6 of the Wages Act. With due respect, we are unable to accept the said proposition. The finding of the learned Single Judge insofar as the notification issued under the amendment of Payment of Wages Act, to sustain the insistence for payment of minimum wages through Bank account alone, in the Rules under the Minimum Wages

Act cannot be sustained. However, we notice that if under the amendment to the Wages Act a notification was brought out specifying that the payment of wages under the Wages Act should only be through Bank accounts, it definitely would be permissible. The amendment to the Wages Act by the proviso to Section 6 conferred power on the appropriate Government to specify the industrial or other establishments, the employer of which shall pay to every person employed, the wages only by cheque or by crediting the wages in his Bank account. The appropriate Government could provide either payment of wages only by cheque or only by crediting the wages into his Bank account; or alternatively ie: in one or either of these modes. We agree with that finding but it cannot substantiate the prescription made under the Minimum Wages Act.

17. In looking at whether the Rules under the Minimum Wages Act could provide for the payment of wages only through a Bank account as provided under the Payment of Wages Act, we have to look at both the legislation and the provisions there under.

18. The Wages Act of 1936 is prior in time to the Minimum Wages Act of 1948. The prescription in Section 6 of the Wages Act before amendment and after amendment are as follows:

Prior to Amendment:

"6. Wages to be paid in current coin or currency notes

All wages shall be paid in current coin or currency notes or in both:

PROVIDED that the employer may, after obtaining the written authorisation of the employed person, pay him the wages either by cheque or by crediting the wages in his bank account".

After amendment:

"6. Wages to be paid in current coin or currency notes or by cheque or crediting in bank account

All wages shall be paid in current coin or currency notes or by cheque or by crediting the wages in the bank account of the employee:

PROVIDED that the appropriate Government may, by notification in the Official Gazette, specify the industrial or other establishment, the employer of which shall pay to every person employed in such industrial or other establishment, the wages only by cheque or by crediting the wages in his bank account".

The Wages Act of 1936, always required payment of wages in current coin or currency notes. But the proviso, as it originally stood, provided that there could be a written authorization of the employee so as to enable payment by cheque or by crediting the wages in his Bank account. We have to keep in mind that banking had not percolated to the masses at that stage. The Minimum Wages Act, enacted far

later in 1948, required minimum wages payable under the Act to be paid in cash as per Section 11(1). Section 11 had the nominal heading "Wages in kind", specifically taking into account the prevalence of such wages being paid in kind during the pre-independence period. It was, hence, there was a mandate to pay the wages in cash and sub-section (2) approved payment in kind only when there was a pre-existing custom, which also had to be recognized by the Government, through a notification in the Official Gazette. Considering the abject poverty of the majority of the work force at that point of time there was also a provision enabling the Government to mandate supply of essential commodities at concessional rate, again by notification in the Official Gazette.

19. When the Parliament enacted the Minimum Wages Act, 1948, it is deemed to have been aware of the proviso in the Wages Act of 1936; but, however, consciously there was a mandate to pay the minimum wages in cash. Whether the same is applicable even after 70 years when Bank Nationalization and the opening of the market economy has resulted in percolation of the banking activities to the masses is a matter which should be addressed in accordance with the times, by the Union Parliament and it is not for us to interpret a clear mandate, which does not create any

anomalous situation. In this context, we have to notice that the Payment of Wages Act has been suitably amended, empowering the appropriate Governments to either insist for payment only by cheque or only through Bank accounts or either of such modes. The Parliament, hence, was conscious of the developments in banking and its wider reach which is evident by the amendment made to the Payment of Wages Act in the year 2017, as is evidenced from Exhibit R1(a). However, the law making body did not choose to amend the Minimum Wages Act. We cannot find that it was an inadvertent omission. If we interpret it otherwise then it would have the effect of an amendment, which would impinge upon the legislative functions.

20. Viewed in this manner, we have to find that the prescription made by sub-rule (2) of Rule 21A, that the employers of the scheduled employments should pay and disburse the wages to the employees only through individual Bank accounts would be in violation of the specific statutory mandate. In this context, we notice the following paragraphs from P.Krishnamurthy, which has been quoted with approval in (2016) 7 SCC 703:

"16. The court considering the validity of a subordinate legislation, will have to consider the nature, object and scheme of the enabling Act, and also the area over which power has been delegated

under the Act and then decide whether the subordinate legislation conforms to the parent statute. Where a rule is directly inconsistent with a mandatory provision of the statute, then, of course, the task of the court is simple and easy. But where the contention is that the inconsistency or non-conformity of the rule is not with reference to any specific provision of the enabling Act, but with the object and scheme of the parent Act, the court should proceed with caution before declaring invalidity".

[underlining by us for emphasis]

Here, the Rule is in direct conflict with the statutory provision, which mandates payment in cash. We accept the contention that in a situation where either of the modes are resorted, of payment in cash or through Bank accounts, it would result in allegations of violation of the provisions under the Act or under the Rules leading to imposition of penalty as prescribed under Section 22 of the Minimum Wages Act. It is, hence, a 'no win' situation for the employer, since either way the payment of minimum wages would attract penal provisions.

21. On our interpretation of the Act and the Rules, we find sub-rule (2) of Rule 21A of the Kerala Rules as amended by Exhibit P1 notification to be *ultra vires* the Act. However, the other amendments are upheld and the

regulatory measure by which there is an insistence brought in for uploading the details of the workers as required in Form XIV as also the other prescriptions, *inter alia*, of the uploading to be done three days prior to the payment, wage slip issued on a day prior to the payment, are all upheld.

22. Having held sub-rule (2) of Rule 21A to be *ultra vires*, definitely the Department cannot insist for payment through the Bank accounts of the employees. In this context, we look at the specific contention raised by the appellants that only 16 Banks have been provided by the Department for the purpose of making payments through the WPS. We cannot but notice that even if the provision were to be upheld, there can be no insistence that the payment should be only through the WPS. There is no such mandate provided in the rules. The choice of Bank vests exclusively with the employee and there cannot be any insistence by the Department or the employer. If the facility for fund transfer is available through the WPS, it can be availed by the employers at their option and with consent of the employee. Be that as it may, we cannot also ignore the averment of the State in its counter affidavit that there are almost 270 establishments now successfully making the payment of wages through WPS. We do not find any reason to

interfere with the same and we make it clear that though the Department cannot insist on such payment through the WPS, the establishments/employers could voluntarily make such payments through WPS as also credit wages to the accounts of the employees in other Banks with details submitted in the WPS. We say this, since pertinently there is an amendment to the Payment of Wages Act permitting such payment and the Government has also brought out a notification under the Wages Act. This would not necessarily enable the Government to bring out a similar notification under the Minimum Wages Act. But however, we make it clear that if voluntarily the employers make payments through Banks with consent of the employees, there would be no penalty imposed on ground of violation of Section 11(1) of the Minimum Wages Act.

The Writ Appeals are partly allowed and it is directed that the employers of the scheduled employments may be granted three months time to commence uploading of Form XIV in Wage Payment System, as of now without the account number of the employee; if not voluntarily provided. There can be no insistence that the minimum wages will be paid through the bank accounts or through the WPS system of the Department. However those who voluntarily do either will not be prosecuted for reason only of violation

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of Section 11(1). While declaring sub-rule (2) of Section 21A of the amended Rules of 1958 to be *ultra vires* to the statute, the other amendments are upheld. The Writ Petitions filed are also partly allowed in the same lines as the Writ Appeals. The parties in the Appeals and Writ Petitions are left to suffer their respective costs.

Sd/-
K.VINOD CHANDRAN
JUDGE

Sd/-
V.G.ARUN
JUDGE

Vku/-

W.A.979 of 2018 &
connected cases.

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APPENDIX OF WP (C) 23631/2018

PETITIONER'S/S EXHIBITS:

**EXHIBIT-P1: TRUE COPY OF GOVERNMENT ORDER
DATED 8/7/2015.**

APPENDIX OF WP (C) 23736/2018

PETITIONER'S/S EXHIBITS:

- EXHIBIT P1: TRUE COPY OF THE AMENDMENT PUBLISHED
VIDE NOTIFICATION DATED 08/07/2015
- EXHIBIT P2: TRUE COPY OF THE COMMON JUDGMENT
DATED 10/04/2018 IN WPC.NO.7632 OF 2017
- EXHIBIT P3: TRUE COPY OF THE INTERIM ORDER
DATED 28/06/2018 IN W.A.NO.1273 OF 2018.

APPENDIX OF WP (C) 24365/2018

PETITIONER'S/S EXHIBITS:

- EXHIBIT P1. COPY OF THE AMENDMENT PUBLISHED
VIDE NOTIFICATION DATED 8.7.2015.
- EXHIBIT P2. COPY OF THE COMMON JUDGMENT
DATED 10.04.2018 IN WPC NO.7632/2017.
- EXHIBIT P3. COPY OF THE INTERIM ORDER DATED 29.6.2018
PASSED IN WA NO.1273 OF 2018.

APPENDIX OF WP (C) 37783/2018

PETITIONER'S/S EXHIBITS:

EXHIBIT P1	TRUE COPY OF THE AMENDMENT PUBLISHED VIDE NOTIFICATION DATED 8.7.2015
EXHIBIT P2	TRUE COPY OF THE COMMON JUDGMENT DATED 10.04.2018 IN W.P. (C) NO.725 OF 2017
EXHIBIT P3	TRUE COPY OF HE INTERIM ORDER DATED 28.06.2018 PASSED IN WRIT APPEAL NO.12763 OF 2018

APPENDIX OF WP (C) 6090/2019

PETITIONER'S/S EXHIBITS:

- EXHIBIT P1 TRUE COPY OF THE ORDER NO.G2-25844/2007
DATED 23/05/2008 ISSUED BY THE LABOUR
COMMISSIONER, THIRUVANANTHAPURAM.
- EXHIBIT P2 TRUE COPY OF THE AMENDMENT INCORPORATED BY
THE GOVERNMENT TO THE KERALA MINIMUM WAGES
RULES,1958.
- EXHIBIT P3 TRUE COPY OF THE COMPARISON TABLE OF THE
SYSTEM FOLLOWED BY THE PETITIONER COMPANY
AND THE SYSTEM THAT IS SOUGHT TO BE
IMPLEMENTED BY THE 1ST RESPONDENT BY
ENFORCING THE WAGES PROTECTION SYSTEM.

APPENDIX OF WP (C) 13807/2019

PETITIONER'S/S EXHIBITS:

EXHIBIT P1	TRUE COPY OF THE AMENDMENT PUBLISHED VIDE NOTIFICATION DATED 08.07.2015
EXHIBIT P2	TRUE COPY OF TRUE COPY OF THE COMMON JUDGMENT DTED 10.04.2018 IN WP(C)7632/2017
EXHIBIT P3	TRUE COPY OF THE INTERIM ORDER DATED 28.06.2018 IN WA NO.1273/2018
EXHIBIT P4	TRUE COPY OF THE AMENDMENT DATED 15.02.2017
EXHIBIT P5	TRUE COPY OF THE NOTIFICATION DATED 09.05.2017
EXHIBIT P6	TRUE COPY OF THE NOTICE DATED 27.03.2019

APPENDIX OF WP (C) 18071/2019

PETITIONER'S/S EXHIBITS:

- | | |
|------------|---|
| EXHIBIT P1 | TRUE COPY OF THE INCORPORATION CERTIFICATE
OF THE PETITIONER COMPANY |
| EXHIBIT P2 | TRUE COPY OF THE SAID AMENDMENT ISSUED IN
EXERCISE OF THE POWER CONFERRED BY CLAUSE
(D) OF THE SUB . SEC (2) OF SEC 30 OF THE
MINIMUM WAGES ACT, 1948 DATED 8-7-2015 |
| EXHIBIT P3 | TRUE COPY OF THE GOVERNMENT ORDER
DATED 9-5-2017 |

APPENDIX OF WP (C) 24859/2019

PETITIONER'S/S EXHIBITS:

- EXHIBIT P1 TRUE COPY OF THE AMENDMENT PUBLISHED
VIDE NOTIFICATION DATED 08/07/2015.
- EXHIBIT P2 TRUE COPY OF THE LIST OF SUCH BANKS AS
UPLOADED ON THE WEBSITE OF THE LABOUR
COMMISSIONER, KERALA.
- EXHIBIT P3 TRUE COPY OF THE COMMON JUDGMENT
DATED 10/04/2018 BY THIS HONOURABLE COURT.
- EXHIBIT P4 TRUE COPY OF THE ORDER DATED 28/06/2018 IN
WA NO.1273/2018.

[TRUE COPY]