

ITEM NO.40

COURT NO.13

SECTION XI-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

SPECIAL LEAVE PETITION (CIVIL) Diary No. 60937/2024

[Arising out of impugned final judgment and order dated 09-04-2024 in WA No. 987/2019 passed by the High Court of Kerala at Ernakulam]

STATE OF KERALA & ORS.

Petitioner(s)

VERSUS

SEAFOOD EXPORTERS ASSOCIATION OF INDIA
(KERALA REGION) & ANR.

Respondent(s)

(IA No. 17457/2025 - CONDONATION OF DELAY IN FILING & IA No. 17461/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 14-02-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE R. MAHADEVAN

For Petitioner(s) :

Mr. Rakesh Dwivedi, Sr. Adv.
Mr. P. V. Surendernath, Sr. Adv.
Mr. C. K. Sasi, AOR
Mr. Mohd. Rafeeq, Adv.
Ms. Meena K Poullose, Adv.

For Respondent(s) :

Mr. Rajiv Shakhder, Sr. Adv.
Mr. Premjit Nagendran, Adv.
Mr. Mp Vinod, Adv.
Mr. Atul Shankar Vinod, AOR
Mr. Jonathan Ivan Rajan, Adv.
Mr. Karan Khetani, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. Delay condoned.
2. Exemption Application is allowed.
3. We heard Mr. Rakesh Dwivedi, the learned Senior counsel appearing for the State and others and Mr. Rajiv Shakhder, the learned Senior counsel appearing for Respondent No.1.

4. The subject-matter of challenge before the High Court was the constitutional validity of the Kerala Fishermen and Allied Workers Welfare Cess Act, 2007.

5. The High Court declared Section 3(1)(2) and (3) respectively of the 2007 Act as beyond the legislative competence of the State.

6. Since the issue relates to validity of the Act, we must look into the matter.

7. Leave granted.

8. Let this appeal may come up for final hearing in the 1st week of April, 2025.

(VISHAL ANAND)
ASTT. REGISTRAR-cum-PS

(POOJA SHARMA)
COURT MASTER (NSH)