

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRA

THURSDAY, THE 21ST DAY OF MAY 2015/31ST VAISAKHA, 1937

WP(C).No. 608 of 2005 (V)

PETITIONER(S):

**K. MADHUSOODHANAN PILLAI,
T.C.10/1601 CD, MARKET ROAD, VATTIYUR KAVU,
TRIVANDRUM-695 013., WORKING AS MANAGER (ACCOUNTS) (RETD.),
OVERSEAS DEVELOPMENT AND EMPLOYMENT PROMOTION
CONSULTANTS LTD., (ODEPC), VAIKUNT, T.C.26/322(1),
THIRUVANANTHAPURAM.**

BY ADV. SRI.V.R.GOPU

RESPONDENT(S):

- 1. STATE OF KERALA, REPRESENTED BY
SECRETARY TO GOVERNMENT, LABOUR AND
REHABILITATION (G) DEPARTMENT
GOVERNMENT SECRETARIAT, TRIVANDRUM.**
- 2. OVERSEAS DEVELOPMENT AND EMPLOYMENT
PROMOTION CONSULTANTS LTD (ODEPC) REPRESENTED
BY THE MANAGING DIRECTOR, ODEPC, VAIKUNT
T.C.26/322 (1), AMBALATHUMUKKU, VANCHIYOOR P.O.
TRIVANDRUM-695 035.**

**R1 BY GOVERNMENT PLEADER SRI.P.V.ELIAS
R2 BY ADVA. SRI.U.K.RAMAKRISHNAN (SR.)
SRI.DEVIDAS.U.K
SRI.SANDEEP.E.**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 21-05-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

PJ

WP(C).No. 608 of 2005 (V)

APPENDIX

PETITIONERS' EXHIBITS

P1: COPY OF THE GO.RT.NO.835/89/LBR DATED 27/4/89

P2: COPY OF GO(RT)NO.1056/90/LBR DATED 25/4/90

P3: COPY OF THE LETTER NO.A2/2542/92 DATED 5/5/99

P4: COPY OF THE REPRESENTATION DATED 22/7/2004

RESPONDENTS' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

J

ANIL K.NARENDRA, J

W.P.(C)No.608 OF 2005

DATED THIS THE 21st DAY OF MAY, 2015

JUDGMENT

The petitioner who was working as Manager (Accounts) in the Overseas Development and Employment Promotion Consultants Limited, the second respondent herein has filed this Writ Petition seeking the following reliefs:

- “(i) Issue a writ in the nature of mandamus or any other appropriate writs or any other directions commanding respondents to grant petitioner the scale of pay of Manager (Finance and Admn.) from 25.05.1990 the date of coming into force of the Special Rules.
- (ii) Issue a writ in the nature of mandamus or any other appropriate writs or any other directions commanding respondents to grant petitioner the second higher grade as General Manager under the time bound higher grade scheme on completion of 8 years duty from the date of regular promotion as Manager and grant its scale of pay.
- (iii) Issue a direction to the respondents to grant special pay for attending to duties of Company Secretary which was discontinued from 1.10.1990.
- (iv) Issue a direction to the 2nd respondent to consider and pass appropriate orders on Ext.P4 representation expeditiously.”

2. A counter affidavit has been filed by the second respondent in which it has been stated that subsequent to the filing of the writ petition, the petitioner was graded with eligible higher

grades and the increments were also sanctioned to him as per Exts.R2(a) and R2(b) orders and that arrears of pay and allowances due to him as per the above orders have also been sanctioned and paid to him vide Exts.R2(c) and R2(d) orders and that an amount of ₹94,471/- has been paid to the petitioner by way of an account payee cheque bearing No.022664. The learned Senior Counsel appearing for the second respondent would point out that the petitioner has not chosen to challenge Exts.R2(a) to R2(d) orders and those orders have attained finality.

Since Ext.P4 representation submitted by the petitioner highlighting the grievance in this writ petition has already been considered by the second respondent, which resulted in Exts.R2 (a) to R2(d) orders, which orders have already attained finality, I find no merit in the present writ petition. Accordingly the same is dismissed.

Sd/-

ANIL K.NARENDRA, JUDGE

dsn