

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE THOTTATHIL B.RADHAKRISHNAN
&
THE HONOURABLE MR.JUSTICE K.HARILAL

TUESDAY, THE 7TH DAY OF APRIL 2015/17TH CHAITHRA, 1937

OP(KAT).No. 119 of 2015 (Z)

AGAINST THE ORDER/JUDGMENT IN OA 1423/2014 of KERALA
ADMINISTRATIVE TRIBUNAL, THIRUVANANTHAPURAM DATED 21.01.2015

PETITIONER(S) :

VIJAYAKUMARI, AGED 59 YEARS,
W/O.LATE K.AJAYAKUMAR, HARISREE,
21 CHANDANA GARDENS, J.P.LANE,
KUDAPPANKUNNU P.O.,
THIRUVANANTHAPURAM - 695 043.

BY ADVS.SRI.R.S.KALKURA
SRI.M.S.KALESH
SMT.R.BINDU
SRI.HARISH GOPINATH

RESPONDENT(S) :

1. STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY,
SECRETARIAT, THIRUVANANTHAPURAM,
KERALA - 695 001.
2. THE DIRECTOR GENERAL OF POLICE,
STATE OF KERALA,
POLICE HEAD QUARTERS,
VAZHUTHACAUD, THIRUVANANTHAPURAM,
KERALA - 695 014.
3. THE INSPECTOR GENERAL OF POLICE (ADMINISTRATION),
STATE OF KERALA, POLICE HEAD QUARTERS,
VAZHUTHACAUD, THIRUVANANTHAPURAM,
KERALA - 695 014.

OP (KAT) 119/15

4. BIJOY AJAYKUMAR, AGED 34,
S/O.LATE K.AJAYAKUMAR, HARISREE,
21 CHANDANA GARDENS, J.P.LANE, KUDAPPANKUNNU P.O.,
THIRUVANANTHAPURAM - 695 043.
5. ROSHINI AJAYKUMAR, AGED 31, D/O.LATE K.AJAYAKUMAR,
HARISREE, 21 CHANDANA GARDENS,
J.P.LANE, KUDAPPANKUNNU P.O.,
THIRUVANANTHAPURAM - 695 043.

BY SRI.S.JAMAL, SR.GOVERNMENT PLEADER

THIS OP KERALA ADMINISTRATIVE TRIBUNAL HAVING COME UP
FOR ADMISSION ON 07-04-2015, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

P1 : COPY OF O.A.NO.1423/2014 ON THE FILE OF THE KERALA ADMINISTRATIVE TRIBUNAL AT THIRUVANANTHAPURAM DATED 22.07.2014.

P2 : COPY OF REPLY-STATEMENT FILED BY THE SECOND RESPONDENT.

P3 : COPY OF REJOINDER DATED 31.12.2014 FILED BY THE PETITIONERS IN O.A.NO.1423/2014.

P4 : COPY OF ORDER DATED 21.01.2015 IN O.A.NO.1423 OF 2014 on the FILE OF THE KERALA ADMINISTRATIVE TRIBUNAL AT THIRUVANANTHAPURAM.

//TRUE COPY//

PA TO JUDGE.

THOTTATHIL B.RADHAKRISHNAN &
K.HARILAL, JJ.

.....
OP(KAT) No.119 of 2015
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Dated this the 7th day of April, 2015.

J U D G M E N T

Thottathil B.Radhakrishnan, J.

Petitioner is a legal representative of a person who retired from Government service as Superintendent of Police. Complaint before the Kerala Administrative Tribunal was about non-release of DCRG. The Tribunal directed payment of DCRG. This original petition is filed invoking Article 227 of the Constitution of India complaining that the Tribunal did not direct payment of interest. There is no statutory provision in Part-III of Kerala Service Rules for payment of interest. But, the precedent law provides for eligibility to claim interest. However, on going through Ext.P1 application, that was filed before the Tribunal, particularly column 11 (eleven) of that statutory form, we see that there was no relief sought for before the Tribunal regarding interest. Under such circumstances, we do not find fault with the Tribunal of not having considered the question of interest or of not having granted interest. On this

ground, this original petition fails.

In the result, this original petition is dismissed in limine.

(THOTTATHIL B.RADHAKRISHNAN, JUDGE)

(K.HARILAL, JUDGE)

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