

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC
&
THE HONOURABLE MR. JUSTICE SHAJI P. CHALY

THURSDAY, THE 30TH DAY OF JULY 2015/8TH SRAVANA, 1937

W.A.No. 1252 of 2010 () IN WP(C).10323/2008

AGAINST THE JUDGMENT IN W.P.(C) 10323/2008 of HIGH COURT OF KERALA DATED 31-03-2010.

APPELLANT(S)/PETITIONER:

K.CHANDRAN PILLAI,
LECTURER SELECTION GRADE (RTD.), DEVASWOM BOARD
COLLEGE, SASTHAMCOTTA, NOW RESIDING AT ANJALI,
KAKKAKKUNNU P.O., SOORANAD SOUTH, KOLLAM.

BY ADV. SRI.P.C.SASIDHARAN

RESPONDENT(S)/RESPONDENTS:

1. STATE OF KERALA, REPRESENTED BY THE
SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM.
2. THE DIRECTOR OF COLLEGIATE EDUCATION,
VIKAS BHAVAN, THIRUVANANTHAPURAM.
3. THE DEPUTY DIRECTOR OF COLLEGIATE
EDUCATION, KOLLAM.
4. THE KERALA UNIVERSITY, REPRESENTED BY
ITS REGISTRAR, UNIVERSITY BUILDING,
THIRUVANANTHAPURAM.
5. THE FOOD CORPORATION OF INDIA,
DISTRICT OFFICE, QUILON-691 004.

R1 TO R3 BY SENIOR GOVERNMENT PLEADER, SRI. P.FAZIL
R4 BY ADV. SRI.M.RAJAGOPALAN NAIR, SC, KERALA UTY.
R4 BY ADV. SRI.GEORGE POONTHOTTAM
R4 BY ADV. SRI.BECHU KURIAN THOMAS, SC, UNIVERSITY OF KERALA

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 30-07-2015, THE COURT
ON THE SAME DAY DELIVERED THE FOLLOWING:

P.T.O.

W.A.NO.1252 OF 2010

APPENDIX

APPELLANT'S ANNEXURES:

ANNEXURE A1: TRUE COPY OF THE JUDGMENT IN W.A.NO.2445/2009 DATED
07.01.2010.

RESPONDENTS' ANNEXURES: NIL

//TRUE COPY//

P.S. TO JUDGE

St/-

**ANTONY DOMINIC
&
SHAJI P. CHALY, JJ.**

W.A.No.1252 of 2010

Dated this the 30th day of July, 2015

JUDGMENT

Antony Dominic, J.

This appeal is filed against the judgment of the learned Single Judge in W.P.(C) No.10323 of 2008 dated 31.03.2010. By the judgment under appeal, the writ petition was dismissed following the judgment of the Division Bench in W.A.No.2445 of 2009.

2. It is now submitted by both the sides that by a subsequent judgment of the Full Bench in Writ Appeal Nos.645 & 1124 of 2010, the issue stands decided in favour of the appellant. As a result, the appellant's claim that his prior service under the Food Corporation of India should be reckoned for the purpose of computing his pension and retirement benefits, has to be upheld.

3. In the light of the Full Bench decision, the judgment of the learned Single Judge is set aside and the writ petition will stand allowed. Exts.P3 and P6 will stand quashed and the

Respondents will pass consequential orders reckoning the prior service of the appellant, as indicated above.

The appeal is allowed accordingly.

Sd/-

**ANTONY DOMINIC
JUDGE**

Sd/-

**SHAJI P. CHALY
JUDGE**

//true copy//

P.S. to Judge

St/-

