

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE SMT. JUSTICE P.V.ASHA

THURSDAY, THE 8TH DAY OF OCTOBER 2015/16TH ASWINA, 1937

WP(C).No. 3 of 2012 (A)

PETITIONER:

DR.E.SREEDHARAN AGED 51 YEARS
ASSISTANT PROFESSOR
SREE SANKARACHARYA UNIVERSITY OF SANSKRIT
REGIONAL CENTRE, PAYYANNUR.

BY ADV. SRI.M.V.AMARESAN

RESPONDENTS:

1. THE PRINCIPAL SECRETARY AND OTHERS
HIGHER EDUCATION (C) DEPARTMENT
GOVERNMENT OF KERALA, GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM, PIN 695 001.

2. THE REGISTRAR
SREE SANKARACHARYA UNIVERSITY OF SANSKRIT, KALADY
PIN 683 574.

3. THE REGISTRAR
KANNUR UNIVERSITY, MANGATTUPARAMBA, KANNUR DISTRICT
PIN 670 001.

R3 BY ADV. SRI.P.K.IBRAHIM, SC, KANNUR UNIVERSITY
R1-R2 BY ADV. SRI.ARUN B.VARGHESE, SC,
SREE SANKARACHARYA UTU.
R BY SRI.P.C.SASIDHARAN, SC, SREE SANKARACHARY

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
08-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

RKC

APPENDIX

PETITIONER'S EXHIBITS

EXHIBIT-P1. TRUE COPY OF JUDGMENT DATED 10.10.2011 PASSED BY THIS HON'BLE COURT IN W.P.(C)NO.26565/2011.

EXHIBIT-P2. TRUE COPY OF COMMUNICATION ISSUED BY 2ND RESPONDENT TO THE PETITIONER DATED 17.11.2011.

EXHIBIT-P3. TRUE COPY OF LETTER DATED 16.3.2011 ISSUED BY THE PETITIONER TO THE 1ST RESPONDENT.

RESPONDENTS' EXHIBITS: NIL

RKC

TRUE COPY

PA TO JUDGE

P.V.ASHA, J.

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Dated this the 8th day of October, 2015

JUDGMENT

The prayers in the writ petition are as follows:

- (i) issue a writ of mandamus or any other appropriate writ or orders directing the first respondent to consider Ext.P3 and forward necessary clarification within a time frame to the second respondent;*
- (ii) to direct the 2nd respondent on getting clarification from 1st respondent to reckon the pay revision benefits due to the petitioner and to immediately communicate the same to 3rd respondent and 3rd respondent on receipt of it, to receive benefits of petitioner forthwith; and*
- (iii) to grant such other and further relief as this Hon'ble court may consider just and proper in the facts and circumstances of the case."*

2. The petitioner claims certain benefits for the period during which he was working on deputation in the Kannur University, as Development Officer. According to him the benefits on account of revised UGC scheme were not disbursed to him on account of certain anomalies detected by the Kannur University, in the pay fixation statement forwarded by 2nd respondent University, in respect of sanctioning increments. On the basis of Ext.P1 judgment, in which the

University was directed to take appropriate action on his grievances, the Kannur University has already informed the petitioner, as per Ext.P2, that they had already sent a communication to the second respondent University, based on which the second respondent University sought a clarification from Government in respect of the fixation of pay under revised UGC scheme. The petitioner was informed that immediately on receipt of clarification from Government the arrears of pay due to him will be disbursed. The writ petition was filed since there was no further action on it.

3. When the writ petition came up for admission, this Court had passed an interim order on 21.2.2012, directing Government to address the points raised by the second respondent University in Ext.P3 letter and communicate the reply within a period of two months. Thereafter the Government filed a statement producing a copy of G.O.(P) No:234/212/H.Edn dated 28.6.2012 in respect of fixation of pay and grant of increments.

In view of the fact that the Government have already issued the clarification sought and the third respondent had already informed the petitioner in Ext.P2 that arrears of pay will be disbursed immediately on receipt of the said clarification, this writ petition is disposed of directing the third respondent to see that benefits due to the petitioner

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are disbursed in the light of G.O.(P) No:234/212/H.Edn dated 28.6.2012, within a period of two months from the date of receipt of a copy of this judgment, in case it is not disbursed so far. It is made clear that petitioner will be free to take up the matter before the appropriate authorities in case he has any further grievance in the matter.

Sd/-
P.V.ASHA,
JUDGE.

rkc