

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

TUESDAY, THE 1ST DAY OF SEPTEMBER 2015/10TH BHADRA, 1937

WP(C).No. 10153 of 2004 (H)

PETITIONER:

**E.V.CHECHAMMA,
CLEANER, FOOD CRAFT INSTITUTE, KOTTAYAM
RESIDING AT EDAKKERIYIL, VADAYAR KIZHAKKEKKARA
VADAYAR P.O., THALAYOLAPARAMBU.**

BY ADV. SRI.V.G. ARUN

RESPONDENTS:

- 1. THE PRINCIPAL,
FOOD CRAFT INSTITUTE, KOTTAYAM.**
- 2. THE FOOD CRAFT INSTITUTE (KERALA) SOCIETY
KALAMASSERY-683 104, REPRESENTED BY ITS
SECRETARY.**

**BY ADV. SRI.ANCHAL VIJAYAN, SC,FOOD CRAFT INSTITUTE
GOVERNMENT PLEADER SRI. S. JAMAL**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 01-09-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER'S EXHIBITS:-

- EXHIBIT P1 - COPY OF THE MEMO NO.60/04/12 DATED 09.01.2004, ISSUED BY THE 1ST RESPONDENT.
- EXHIBIT P2 - COPY OF THE AUDIT OBJECTIONS IN RESPECT OF 1ST RESPONDENT.
- EXHIBIT P3 - COPY OF THE OBJECTION DATED 27.01.2003 OF THE PETITIONER.
- EXHIBIT P4 - COPY OF THE LETTER NO.C1/2004/176 DATED 08.03.2004, OF THE SECOND RESPONDENT.

RESPONDENTS' EXHIBITS:- NIL

//TRUE COPY//

P.A. TO JUDGE

sp

K. VINOD CHANDRAN, J.

W.P(C). No.10153 of 2004

Dated this the 1st day of September, 2015.

JUDGMENT

The petitioner had filed the above writ petition challenging the recovery, which has to be effected from the petitioner's salary. This Court had by order dated 24.03.2004 directed stay of the recovery, but however also directed that the respondents would be free to make appropriate adjustments from the retirement benefits to be granted to the petitioner. The petitioner had in fact moved a representation at Ext.P3 before the first respondent. The petitioner, admittedly, is retired now. The interim order directed that the issue if settled by the time of the retirement of the petitioner, appropriate adjustments shall be made from the petitioner's salary.

In such circumstance, nothing survives in the writ petition, the same is closed. However, the petitioner's remedies would be

left open, if an adverse order has been passed in favour of the petitioner.

Sd/-
K. VINOD CHANDRAN,
JUDGE

sp

//True Copy//

P.A. to Judge