

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

FRIDAY, THE 4TH DAY OF SEPTEMBER 2015/13RD BHADRA, 1937

WP(C).No. 2478 of 2010 (H)

PETITIONER:

**P.K.RAMACHANDRAN, S/O.LATE KRISHNAN,
AGED 73 YEARS, RETD.SECURITY GUARD
FOREST INDUSTRIES (TRAVANCORE) LTD.
PICHAMPALLIL HOUSE, KOOVAPPADY P.O., PERUMBAVOOR-VIA
ERNAKULAM DISTRICT.**

**BY ADVS.SRI.BABU JOSEPH KURUVATHAZHA
SRI.N.SHAMSUL HUDA**

RESPONDENTS:

- 1. STATE OF KERALA, REP.BY ITS
SECRETARY TO GOVERNMENT, DEPT.OF INDUSTRIES
GOVT.SECRETARIAT, THIRUVANANTHAPURAM.**
- 2. FOREST INDUSTRIES (TRAVANCORE) LTD.,
THAIKKATTUKARA P.O., ALUVA, ERNAKULAM DISTRICT
REP.BY ITS MANAGING DIRECTOR.**

**R2 BY ADVS. SRI.M.PATHROSE MATTHAI (SR.)
SRI.SAJI VARGHESE
SMT.MARIAM MATHAI**

R1 BY GOVERNMENT PLEADER SRI. S. JAMAL

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 04-09-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER'S EXHIBITS

- P1 : TRUE COPY OF THE PROCEEDINGS BEARING NO.FIT/6/833 DATED 28.10.94 ISSUED BY THE ASSISTANT MANAGER (P&A) OF THE 2ND RESPONDENT
- P2 : TRUE COPY OF THE CERTIFICATE BEARING NO.FIT/PER/11/99-2000/1556 DATED 7.9.1999 ISSUED BY THE MANAGER (P&A) OF THE 2ND RESPONDENT
- P3 : TRUE COPY OF THE REPRESENTATION DATED 2.3.1995 SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT
- P4 : TRUE COPY OF THE REPRESENTATION DATED 2.7.2009 SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT
- P5 : TRUE COPY OF THE REPRESENTATION DATED 2.11.2009 SUBMITTED BY THE PETITIONER BEFORE THE RESPONDENTS

RESPONDENT'S EXHIBITS

NIL

//TRUE COPY//

P.A. TO JUDGE

JJJ

K. VINOD CHANDRAN, J.

W.P.(C) No. 2478 of 2010 (H)

Dated this the 4th day of September, 2015

J U D G M E N T

The petitioner seeks disbursement of pension from the 2nd respondent. None appears for the petitioner when the case was called for hearing.

2. The petitioner, admittedly, was an employee of the 2nd respondent, though the period in which he was continued in employment is disputed. However, the same may not be relevant for consideration since as of now, the question is whether the petitioner had any right to claim pension from the 2nd respondent.

3. The 2nd respondent has filed a counter affidavit in which it has been specifically stated that there is no scheme for payment of pension to its employees. The petitioner, on his retirement, was paid Employees Provident Fund under the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 as also gratuity under the Payment of Gratuity Act, 1972.

4. In the circumstance of there being no pension scheme applicable to the 2nd respondent, the writ petition would stand dismissed. No costs.

Sd/-
K.VINOD CHANDRAN,
JUDGE