

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

THURSDAY, THE 22ND DAY OF JANUARY 2015/2ND MAGHA, 1936

WP(C).No. 93 of 2014 (J)

PETITIONER:

K.K.BHASKARAN, AGED 58 YEARS,
S/O.KUTTAPPAI, KATTIL HOUSE,
AVITTATHOOR P.O., IRINALAKUKUDA, THRISSUR

BY ADVS.SRI.DILEEP VARGHESE
SMT.TESMY VARGHEESE

RESPONDENTS:

1. INDIA COFFEE BOARD WORKERS CO-OPERATIVE
SOCIETY LTD. NO.4227, P.B. NO. 184,
THRISSUR-680001, REPRESENTED BY SECRETARY.

2. THE REGISTRAR(GENERAL MANAGER),
DISTRICT INDUSTRIAL CENTER, AYYANTHOLE
THRISSUR-680 003.

R1 BY ADV. SRI.V.RAJENDRAN (PERUMBAVOOR)
R2 BY GOVERNMENT PLEADER SRI. GIKKU JACOB

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 22-01-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1 :- TRUE COPY OF THE MINUTES DTD 8/10/2013 OF THE MANAGING COMMITTEE OF THE 1ST RESPONDENT SOCIETY
- EXHIBIT P2 :- TRUE COPY OF THE LETTER ISSUED BY THE SECRETARY OF THE 1ST RESPONDENT SOCIETY TO THE PETITIONER
- EXHIBIT P3 :- TRUE COPY OF THE SHOW CAUSE NOTICE ISSUED BY THE SECRETARY OF THE 1ST RESPONDENT SOCIETY TO THE PETITIONER REGARDING THE FINANCIAL MISAPPROPRIATION IN THE PROVIDENT FUND TRUST OF THE 1ST RESPONDENT SOCIETY
- EXHIBIT P4 :- TRUE COPY OF THE REPLY SENT BY THE PETITIONER TO EXT P3 SHOW CAUSE NOTICE
- EXHIBIT P5 :- TRUE COPY OF THE FIRST INFORMATION REPORT REGISTERED BY THE SECRETARY OF THE 1ST RESPONDENT SOCIETY IN EAST POLICE STATION, THRISSUR
- EXHIBIT P6 :- TRUE COPY OF THE MANAGING COMMITTEE DECISION ON 11/5/2011
- EXHIBIT P7 :- TRUE COPY OF THE PLAINT IN ARC NO 1/2013 FILED BEFORE THE INDUSTRIAL DIRECTOR (ARBITRATOR) TRIVANDRUM
- EXHIBIT P8 : TRUE COPY OF THE GRATUITY RULES FRAMED BY THE 1ST RESPONDENT SOCIETY
- EXHIBIT P9 :- TRUE COPY OF THE APPLICATION GIVEN BY THE PETITIONER TO THE 2ND RESPONDENT
- EXHIBIT P10 :- ORDER OF THE DEPUTY REGISTRAR, DISTRICT INDUSTRIES CENTRE, THRISSUR IN ARC NO. 1/2013.

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 93 OF 2014

Dated this the 22nd day of January, 2015

JUDGMENT

The disbursement of death-cum-retirement gratuity with 18% per annum is sought in this writ petition. The petitioner is entitled to interest at 10% per annum only going by the decision in **Rajasekharan Nair Vs. Kerala State Electricity Board [2013 (3) KLT 198]**. The first respondent is accordingly directed to disburse the death-cum-retirement gratuity to the petitioner. The same shall carry interest at the rate of 10% per annum from the month of September 2013 till payment.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**

ncd