

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 13TH DAY OF FEBRUARY 2015/24TH MAGHA, 1936

WP(C).No. 68 of 2015 (G)

PETITIONER(S) :

1. K.DIVAKARAN, AGED 60 YEARS,
S/O.KANNAN, KANICHIRA P.O., THAIKADAPURAM,
KASARAGOD.
2. K.PURUSHOTHAMAN, AGED 64 YEARS,
METTAK HOUSE, KANICHIRA P.O, NILESWARAM,
KASARAGOD.
3. T.KRISHNAN, AGED 62 YEARS,
VENGAD P.O., CHERUVATHUR, KASARAGOD.
4. K.CHIRUTHA, AGED 61 YEARS,
VENGAD, P.O.CHERUVATHUR, KASARAGOD.
5. M.RADHA, AGED 64 YEARS,
MATTUPPIL VEEDU, THEERTHAMKARA P.O, PADANNAKKAD,
KASARAGOD.
6. T.K.JANAKI, AGED 67 YEARS,
THEERTHAMKARA P.O, PADANNAKKAD, KASARAGOD.
7. K.KANNANKUNHI, AGED 74 YEARS,
SAROVARAM, KANICHIRA, P.O.NILESWSARAM,
KASARAGOD.
8. P.KUNHIPENNU, AGED 65 YEARS,
SAROVARAM, KANICHIRA, P.O.NILESWSARAM,
KASARAGOD
9. P.PALLICHI, AGED 71 YEARS,
KANICHIRA P.O, THAIKKADAPURAM, KASARAGOD.
10. A.K.KUNHIPENNU, AGED 73 YEARS,
THEERTHAMKARA, P.O.PADANNAKKAD, KASARAGOD.
11. M.P.RAVEENDRAN, AGED 62 YEARS,
ANANDA PALLA, P.O.OZHINJAVALLAPPU, KASARAGOD.
12. K.KALLYANI, AGED 63 YEARS,
KANICHIRA, P.O.THAIKKADAPPURAM, KASARAGOD.

13. T.JANAKI, AGED 71 YEARS,
W/O.KANNAN, ANANTHAPURI, KANICHIRA,
P.O.THAIKKADAPPURAM, KASARAGOD.
14. T.JANAKI, AGED 71 YEARS,
W/O.AMBU, THEERTHAMKARA P.O, PADANNAKKAD,
KASARAGOD.
15. T.NARAYANAN, AGED 71 YEARS,
THEERTHAMKARA, P.O.PADANNAKKAD, KASARAGOD.
16. K.MADHAVI, AGED 71 YEARS,
W/O.KANNAN, KURUVALAM, PADANNAKKAD,
KASARAGOD.
17. K.INDIRA, AGED 67 YEARS
KAIPPATTIL HOUSE, THEERTHAMKARA P.O, PADANNAKKAD,
KASARAGOD.
18. P.THANKAMANI, AGED 61 YEARS,
W/O.BALAKRISHNAN, P.O.THAIKKADAPPURAM,
KASARAGOD.
19. K.KUNHIRAMAN, AGED 72 YEARS,
CHAITHRAM, KANICHIRA, P.O.THAIKKADAPPURAM,
KASARAGOD.
20. M.JANAKI, AGED 62 YEARS,
CHAITHRAM, KANICHIRA P.O, THAIKKADAPPURAM,
KASARAGOD.
21. KUNHIPENNU.P, AGED 65 YEARS,
SAROVARAM, KANICHIRA, P.O.THAIKKADAPPURAM,
KASARAGOD.
22. K.V.RAGHAVAN, AGED 62 YEARS,
KANICHIRA, P.O.THAIKKADAPPURAM, KASARAGOD.
23. K.AMMALU, AGED 74 YEARS,
KUTHIRAMMAL, KANICHIRA, P.O.THAIKKADAPPURAM,
KASARAGOD.
24. K.KOTTAN, AGED 68 YEARS,
KANICHIRA P.O., THAIKKADAPPURAM, KASARAGOD
25. K.MADHAVI, AGED 68 YEARS,
PAVOOR VEEDU, KANICHIRA, P.O.THAIKKADAPPURAM,
KASARAGOD.
26. K.KUNHIRAMAN, AGED 74 YEARS,
NEDUMKANDAM, NILESWARAM, KASARAGOD.

WP(C).No. 68 of 2015 (G)

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27. K.KANNAN, AGED 74 YEARS,
KANICHIRA, P.O.THAIKKADAPPURAM, KASARAGOD.
 28. K.JANAKI, AGED 61 YEARS,
W/O.KRISHNAN, KANICHIRA, P.O.THAIKKADAPPURAM,
KASARAGOD.
 29. P.BALAN
PAZHANI HOUSE, KANICHIRA, P.O.THAIKKADAPPURAM,
KASARAGOD.
 30. K.AMBADI, AGED 71 YEARS,
KANICHIRA, P.O.THAIKKADAPPURAM, KASARAGOD.
 31. K.AMMINI, AGED 71 YEARS,
KANICHIRA, P.O.THAIKKADAPPURAM, KASARAGOD.
 32. T.K.JANAKI, AGED 67 YEARS,
W/O.AMBU, THEERTHAMKARA, P.O.PADANNAKKAD,
KASARAGOD.
 33. SARADHA.P, AGED 69 YEARS,
VISMAYA, MANDHAMPURAM, P.O.NILESWARAM,
KASARAGOD.

BY ADVS.SRI.M.V.AMARESAN
SRI.V.GANGADHARAN (VALIYAPARAMBATH)

RESPONDENT(S) :

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1. COMPTROLLER,
KERALA AGRICULTURE VELLANIKKARA,
THRISSUR, PIN-680 656.
 2. SECRETARY TO GOVERNMENT,
DEPARTMENT OF FINANCE (PRC C),
THIRUVANANTHAPURAM, PIN-695 001.

R1 BY SRI.BABU JOSEPH KURUVATHAZHA, S.C
R2 BY SR.GOVERNMENT PLEADER SRI.M.A.FAYAZ

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 13-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT. P1:** TRUE COPY OF MEMORANDUM DATED 07/07/2014 SIGNED BY THE PETITIONERS FORWARDED TO THE HON'BLE CHIEF MINISTER OF KERALA.
- EXT. P1(A):** TRUE COPY OF POSTAL ACKNOWLEDGMENT CARD, EVIDENCING RECEIPT OF EXT.P1 BY HON'BLE CHIEF MINISTER.
- EXT. P1(B):** TRUE COPY OF POSTAL ACKNOWLEDGMENT CARD, EVIDENCING RECEIPT OF EXT.P1 BY HON'BLE FINANCE MINISTER.
- EXT. P1(C):** TRUE COPY OF POSTAL ACKNOWLEDGMENT CARD, EVIDENCING RECEIPT OF EXT.P1 BY 1ST RESPONDENT.
- EXT. P2:** TRUE COPY OF COMMUNICATION DATED 02/08/2014 FORWARDED TO THE 1ST PETITIONER FROM THE OFFICE OF CHIEF MINISTER.
- EXT. P2(A):** TRUE COPY OF COMMUNICATION DATED 20/08/2014 FORWARDED TO THE 1ST PETITIONER FROM THE OFFICE OF FINANCE MINISTER.
- EXT. P2(B):** TRUE COPY OF COMMUNICATION DATED 07/08/2014 FORWARDED BY THE SECRETARY OF FARMS, THIRUVANANTHAPURAM TO THE 2ND RESPONDENT.
- EXT. P3:** TRUE COPY OF THE INTERIM ORDER DATED 16/08/2012 IN W.P.(C).NO.17778/2012 PASSED BY THIS HON'BLE COURT.

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.68 of 2015

Dated this the 13th day of February, 2015

JUDGMENT

Petitioners were the retired employees of the Kerala Agricultural University. They approached this Court on account of delay in disbursing D.A. arrears.

2. Learned Standing Counsel appearing for the University submitted that there are 33 petitioners and the University is unable to discharge the liability due to the petitioners to the paucity of funds and they require atleast one year time to pay the entire liability.

Considering the facts and circumstances, the University shall discharge the entire liability due to the petitioners within a period of five months from today.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE