

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

WEDNESDAY, THE 4TH DAY OF MARCH 2015/13TH PHALGUNA, 1936

WP(C).No. 384 of 2015 (W)

PETITIONERS:

1. P.L. PRASANNAKUMARI AMMA, AGED 62 YEARS,
W/O HAREENDRANATH, PUTHIYIDATH HOUSE,
KIDANGOOR, KOTTAYAM DISTRICT.
2. M.N. NARAYANAN NAMBOOTHIRI,
MADHAVAPALLY ILLAM, PIRAYAR,
KIDANGOOR KOTTAYAM DISTRICT

BY ADVS. SRI. P.V. BABY
SRI. A.N. SANTHOSH

RESPONDENTS:

1. THE PRESIDENT, THE KIDANGOOR SERVICE
CO-OPERATIVE BANK LTD. NO. 3431,
KIDANGOOR P.O., KOTTAYAM DISTRICT 686572
2. LIFE INSURANCE CO-OPERATION OF INDIA,
KOTTAYAM, P & GS UNIT, LIC OF INDIA
JEEVAN JYOTHI, II FLOOR, STAR JUNCTION
KOTTAYAM 686001, REPRESENTED BY ITS MANAGER

R1 BY ADV. SRI. JOSHY THANNICKAMATTAM
R2 BY ADV. DR. ABRAHAM P. MEACHINKARA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 04-03-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1 A TRUE PHOTOCOPY COPY OF THE STATEMENT DATED 09-12-2010,
14-11-2011 AND 10-10-2011 ISSUED BY THE 2ND RESPONDENT IN RESPECT
OF THE 1ST PETITIONER

EXHIBIT P2 A TRUE PHOTOCOPY OF THE STATEMENT DTED 25-11-2014 ISSUED BY
THE 2ND RESPONDENT SHOWING THE AMOUNT OF GRATUITY IN
RESPECT OF THE 2ND PETITIONER

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 384 OF 2015

Dated this the 4th day of March, 2015

JUDGMENT

The issue is covered by the judgment dated 28.05.2014 in WP(C) No. 4197/2014 on the file of this court. The said decision follows **Retnavalli Vs. Ambalapadu Service Co-operative Bank Ltd. [2005(3) KLT 320]** and **Mathew Kora Vs. Kadathuruthy Urban Co-operative Bank and others [ILR 2013 (4) KER 933]**.

2. The Writ Petition is accordingly allowed declaring that the petitioners are entitled to receive the full amount paid by the second respondent towards gratuity. The balance amount shall be paid by the first respondent bank with interest at the rate of 7% per annum thereon to the petitioners within two months.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**

ncd