

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

FRIDAY, THE 22ND DAY OF MAY 2015/1ST JYAISHTA, 1937

WP(C).No. 4396 of 2008 (W)

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PETITIONER:

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THE MANAGING DIRECTOR,  
KERALA STATE ROAD TRANSPORT CORPORATION,  
THIRUVANANTHAPURAM, REPRESENTED BY  
LAW OFFICER, SRI.RENJITH JOSEPH.

BY ADV. M. GOPIKRISHNAN NAMBIAR

RESPONDENT:

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SRI. K. VENUGOPAL , 'NISHA', KULAKODE,  
VELLANADU P.O., NEDUMANGAD,  
THIRUVANANTHAPURAM.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 22-05-2015, THE  
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**APPENDIX**

**PETITIONER(S) EXHIBITS**

- EXHIBIT P1 : TRUE COPY OF THE COMPLAINT NO. 1083/2007 DATED 26.04.2007.
- EXHIBIT P2 : TRUE COPY OF THE STATEMENT FILED ON BEHALF OF KSRTC DATED 09.10.2007.
- EXHIBIT P3 : TRUE COPY OF THE ORDER OF THE KERALA LOK AYUKTA ON COMPLAINT NO. 1083/2007 DATED 30.11.2007.
- EXHIBIT P4 : TRUE COPY OF THE LETTER NO. LR8-023330/07 DATED 20.07.2007.
- EXHIBIT P5 : TRUE COPY OF THE JUDGMENT IN W.A. NO. 289/2001 DATED 20.11.2002.
- EXHIBIT P6 : TRUE COPY OF THE INTERIM ORDER IN CIVIL APPEAL NOS. 5401/5407 OF 2002 DATED 29.08.2002 OF THE HON'BLE SUPREME COURT.
- EXHIBIT P7 : TRUE COPY OF THE JUDGMENT IN WP(C) NO. 33183/2007 DATED 07.01.2008.
- EXHIBIT P8 : TRUE COPY OF THE JUDGMENT IN W.A. NO. 1642/2007 DATED 06.07.2007.

**RESPONDENT(S) EXHIBITS : NIL**

/TRUE COPY/

P.A. TO JUDGE.

**V. CHITAMBARESH, J**

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**WP(C) NO. 4396 OF 2008**  
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Dated this the 22<sup>nd</sup> day of May, 2015

**JUDGMENT**

The judgment in W.A. No. 289/2001 and the subsequent cases governed the payment of the death-cum-retirement gratuity and commuted value of pension for the retired employees of the Kerala state Road Transport Corporation. The petitioner is therefore bound to scrupulously follow the same and a contrary direction in Ext.P3 order by the Kerala Lok Ayuktha cannot be appreciated.

2. I quash Ext.P3 order permitting the petitioner to follow the judgment in W.A. No. 289/2001 and other cases. The retiral benefits of the petitioner shall be disbursed accordingly without delay.

The Writ Petition is disposed of.

**V. CHITAMBARESH  
JUDGE**

ncd