

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 30TH DAY OF JANUARY 2015/10TH MAGHA, 1936

WP(C).No. 2058 of 2015 (F)

PETITIONER :

**K.VIJAYAKUMAR,
SARADHI NILAYAM, AMBALAPUZHA P.O.,
ALAPPUZHA DISTRICT.**

**BY ADVS.SRI.ASOK M.CHERIAN
SRI.R.ROHITH
SRI.K.JANARDHANA SHENOY
SRI.V.N.RAJAPPAN
SRI.V.K.PRASAD**

RESPONDENT(S):

- 1. KERALA STATE WAREHOUSING CORPORATION,
REPRESENTED BY ITS MANAGING DIRECTOR,
POST BOX NO. 1727, WAREHOUSING CORPORATION ROAD,
COCHIN - 682 016.**
- 2. THE MANAGING DIRECTOR,
KERALA STATE WAREHOUSING CORPORATION,
POST BOX NO.1727, WAREHOUSING CORPORATION ROAD,
COCHIN - 682 016.**

**R1 & R2 BY ADVS. SRI.M.GOPIKRISHNAN NAMBIAR
SRI.P.GOPINATH
SRI.P.BENNY THOMAS
SRI.K.JOHN MATHAI
SRI.JOSON MANAVALAN
SRI.KURRYAN THOMAS**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 30-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

WP(C).No. 2058 of 2015 (F)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1 - A TRUE COPY OF THE ORDER OF GOVERNMENT OF KERALA DT. 20.9.2011.**
- P2 - A TRUE COPY OF G.O(MS) NO. 29/09/AD DT. 05.2.2009.**
- P3 - A TRUE COPY OF THE JUDGMENT OF HON'BLE HIGH COURT OF KERALA IN WPC NO. 17011/2014.**
- P4 - A TRUE COPY OF THE LETTER INVITING FOR THE MARRIAGE OF THE PETITIONER.**
- P5 - A TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT DT. 08.12.2014.**

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

P.A.TO.JUDGE

sts

A.MUHAMED MUSTAQUE, J.

W.P.(C).No.2058 of 2015

Dated this the 30th day of January, 2015

J U D G M E N T

The petitioner is a retired employee of Kerala State Warehousing Corporation. The petitioner retired from the service on 31.10.2013. The petitioner approached this Court on account of the delay in disbursing the retirement benefits.

2. A statement has been filed on behalf of the respondent. It is stated that W.P.(C) No.15808 of 2013 and connected cases was filed by retired employees for the disbursement of retirement benefits, this Court directed the Corporation to disburse the retirement benefits due to the retired employees strictly based on the seniority with reference to the actual date of retirement on attaining the age of superannuation. It is submitted that in the light of the above judgment, the Corporation is disbursing the gratuity due to the employees strictly based on the seniority as per the date of retirement, from the available resources every month. Therefore, I do not find any reason to depart from the judgment.

The respondents are bound to comply with the judgment.

3. However it is submitted by the learned counsel for the petitioner that his daughter is getting married in the month of February. In the light of the above judgment, the petitioner's request cannot be accepted. Considering the urgency of the petitioner, a portion of the amount shall be directed to be released to the petitioner. Therefore, there shall be a direction to respondents to pay SLA and DA arrears due to the petitioner within a period of one week from the date of receipt of a copy of this judgment. All other benefits due to the petitioner shall only be paid in accordance with the directions in the judgment referred as above.

The writ petition is disposed of as above.

Sd/

**A.MUHAMED MUSTAQUE,
JUDGE**

jm/