

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 12TH DAY OF FEBRUARY 2015/23RD MAGHA, 1936

WP(C).NO. 4483 OF 2015 (I)

PETITIONER(S):

**C.E. AJITH KUMAR,
S/O. LATE K.CHELLAPPAN PILLAI, AGED 56 YEARS,
RTD. PROGRAMMER (HIGHER GRADE),
COLLEGE OF AGRICULTURE, VELLAYANI,
THIRUVANANTHAPURAM, COMING UNDER THE
KERALA AGRICULTURAL UNIVERSITY,
RESIDING AT "MADHAV", TC. 17/1704,
POOJAPPURA P.O., THIRUVANANTHAPURAM - 695 012.**

BY ADV. SRI.V.AJITH NARAYANAN.

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY,
AGRICULTURAL DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.**
- 2. KERALA AGRICULTURAL UNIVERSITY,
REPRESENTED BY ITS REGISTRAR, KAU P.O.,
VELLANIKKARA, THRISSUR - 680 656.**
- 3. THE COMPTROLLER,
KERALA AGRICULTURAL UNIVERSITY,
KAU P.O., VELLANIKKARA, THRISSUR - 680 656.**
- 4. THE DEPUTY COMPTROLLER, P & L,
KERALA AGRICULTURAL UNIVERSITY,
KAU P.O., VELLANIKKARA, THRISSUR - 680 656.**
- 5. THE DEAN,
FACULTY OF AGRICULTURE,
KERALA AGRICULTURAL UNIVERSITY,
COLLEGE OF AGRICULTURE, VELLAYANI P.O.,
THIRUVANANTHAPURAM - 695 522.**

**R1 BY GOVT. PLEADER SRI.V. VIJULAL.
R2 TO R4 BY ADV. SRI.BABU JOSEPH KURUVATHAZHA, SC.**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 12-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- P1 - TRUE COPY OF THE RELEVANT PAGES OF THE PENSION PAYMENT ORDER BEARING PENSION NO. (NEW) 212719.
- P2 - TRUE COPY OF THE ORDER NO. PEN - B1/190/2014 FINANCE AND ACCOUNTS WING VALLANIKKARA DATED 08.07.2014 ISSUED BY THE 4TH RESPONDENT.
- P3 - TRUE COPY OF THE ORDER NO. PEN B1/190/2014 FINANCE AND ACCOUNTS WING VALLANIKKARA DATED 08.07.2014 ISSUED BY THE 4TH RESPONDENT.
- P4 - TRUE COPY OF THE ORDER NO. ES(1) 10355/2014 DATED 31.05.2014 ISSUED FROM THE 5TH RESPONDENT.
- P5 - TRUE COPY OF THE PAY/LEAVE SALARY SLIP NO. ACV(1)537/86 DATED 10.06.2014.
- P6 - TRUE COPY OF THE REPRESENTATION DATED 10.12.2014 BY THE PETITIONER TO THE 3RD RESPONDENT WITH COPY TO RESPONDENTS 2 AND 5.

RESPONDENT'S EXHIBITS:-

NIL.

//TRUE COPY//

P.A TO JUDGE

rs.

A.MUHAMED MUSTAQUE, J.

W.P.(C)No.4483 of 2015

Dated this the 12th day of February, 2015

JUDGMENT

The petitioner retired from the service of the Kerala Agricultural University on 31.5.2014. The petitioner submits that the University failed to disburse the terminal benefits such as the commutation amount, DCRG and the amount on surrender of his earned leave etc. Accordingly, the petitioner has approached this Court.

2. The learned Standing Counsel appearing for the University would submit that it is on account of the financial constraints of the University, they are unable to disburse the pensionary benefits to the petitioner and they require atleast one year time to pay off the entire liability.

Considering the facts and circumstances, there shall be a direction to the University to disburse the entire amount

within a period of five months. It is also open for the University to pay the amount either in monthly instalment or lumpsum. However, the entire amount shall be paid within the time indicated as above. If the University fails to pay the entire amount within the time, the amount will carry 6% interest from the date of expiry of the period.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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