

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 20TH DAY OF FEBRUARY 2015/1ST PHALGUNA, 1936

WP(C).No. 18062 of 2005 (R)

PETITIONER(S):

**M.C.MADHAVAN, (EX-REGISTRAR, HIGH COURT
OF KERALA), "SUMANGALI", PALLIYIL LANE,
KOCHI - 682 016.**

**BY ADVS.SRI.C.KOCHUNNY NAIR
SRI.S.ARUN RAJ**

RESPONDENT(S):

- 1. STATE OF KERALA, REPRESENTED BY THE
PRINCIPAL SECRETARY, FINANCE (PENSION-B) DEPARTMENT,
THIRUVANANTHAPURAM.**
- 2. THE HONOURABLE THE CHIEF JUSTICE,
REPRESENTED BY THE REGISTRAR GENERAL,
HIGH COURT OF KERALA, KOCHI-682 031.**
- 3. THE ACCOUNTANT GENERAL (A & E),
KERALA, THIRUVANANTHAPURAM.**

**R1 & R3 BY SPECIAL GOVERNMENT PLEADER SRI.P.V.LONACHAN
R2 BY ADV. SRI.B.UNNIKRISHNA KAIMAL**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
20-02-2015 ALONG WITH WP(C) NO.22871/2005 THE COURT ON
THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 18062 of 2005 (R)

APPENDIX

PETITIONER(S)' EXHIBITS:

EXT.P1: TRUE COPY OF ORDER DTD.4.8.1994 ISSUED BY THE SECOND RESPONDENT PERMITTING THE PETITIONER TO RETIRE FROM SERVICE AND ACCORDING ADMINISTRATIVE SANCTION FOR PAYMENT OF PENSIONARY BENEFITS TO HIM.

EXT.P2: TRUE COPY OF ORDER DATED 25.8.1994 ISSUED BY THE THIRD RESPONDENT ADMITTING THE PENSIONARY BENEFITS TO THE PETITIONER.

EXT.P3: TRUE COPY OF LETTER DTD.26.7.2004 GIVEN BY THE PETITIONER TO THE SECOND RESPONDENT.

EXT.P4: TRUE COPY OF LETTER DTD.14.3.2005 GIVEN BY THE SECOND RESPONDENT TO THE PETITIONER.

EXT.P5: TRUE COPY OF NOTIFICATION, SRO 1234/2004 DTD.23.11.2004, ISSUED BY THE FIRST RESPONDENT.

EXT.P6: TRUE COPY OF NOTIFICATION, SRO, 60/2005 DTD.18.1.2005, ISSUED BY THE FIRST RESPONDENT.

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

A.MUHAMED MUSTAQUE, J.

W.P.(C) Nos.18062 & 22871 of 2005

Dated this the 20th day of February, 2015

JUDGMENT

These writ petitions are filed by the retired employees from the judicial service for revision and re-fixation of pension in terms of Rule 62 Part-III of the Kerala Service Rules. The above Rule was amended retrospectively. The challenge regarding the amendment has been negated by the Hon'ble Supreme Court upholding the validity in **N.D.P.Namboodripad v. Union of India [2007 (2) KLT 248 (SC)]**.

In view of the above, these writ petitions are liable to be dismissed.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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