

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

FRIDAY, THE 4TH DAY OF SEPTEMBER 2015/13RD BHADRA, 1937

WP(C).No. 7946 of 2015 (P)

PETITIONER:

**C.J.JOHN AGED 60 YEARS
T.C 12/1084, BARTON HILL ROAD, THIRUVANANTHAPURAM.**

**BY ADVS.SRI.PIRAPPANCODE V.S.SUDHIR
SRI.JELSON J.EDAMPADAM**

RESPONDENTS:

- 1. STATE OF KERALA
REPRESENTED BY THE ADDITIONAL CHIEF SECRETARY TO GOVERNMENT
HIGHER EDUCATION DEPARTMENT, SECRETARIAT
THIRUVANANTHAPURAM. 695 001**
- 2. THE DIRECTOR
KERALA STATE SCIENCE & TECHNOLOGY MUSEUM
VIKAS BHAVAN P.O., THIRUVANANTHAPURAM - 695 033.**

**R1 BY GOVERNMENT PLEADER SRI. M.J. RAJASREE
R2 BY ADV. SRI.V.A.MUHAMMED**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 04-09-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

- P1 - TRUE COPY OF THE LIST OF FILES AND M-BOOKS HANDED OVER BY THE PETITIONER TO SMT. KUMARI ANITHA S ON 31.1.13.**
- P2 - TRUE COPY OF THE LETTER DT. 12.8.13 OF THE PETITIONER, ADDRESSED TO THE 2ND RESPONDENT.**
- P3 - TRUE COPY OF THE ORDER NO. E-1606/12 DT. 06.11.13 OF THE 2ND RESPONDENT.**
- P4 - TRUE COPY OF THE NOTICE DT. 29.12.14 ISSUED BY THE COUNSEL FOR THE PETITIONER.**

RESPONDENT(S)' EXHIBITS

- R2 (A) TRUE COPY OF THE LETTER NO.E/1606/02 DATED 23.07.2013 ISSUED BY THE DIRECTOR**
- R2 (B) TRUE COPY OF THE LETTER OF THE PETITIONER DATED 12.08.2013**

//TRUE COPY//

P.A. TO JUDGE

JJJ

K. VINOD CHANDRAN, J.

W.P.(C) No. 7946 of 2015(P)

Dated this the 4th day of September, 2015

J U D G M E N T

The petitioner is aggrieved with the fact that the arrears of pay has not been paid to the petitioner.

2. The learned Standing Counsel appearing for the respondent Museum would submit that there are some files to be returned to the respondent Museum, which, if not returned, would cause loss to the Museum.

3. In such circumstance, the respondent Museum submits that the respondent is intending to determine the liability and cast the same on the petitioner, pending which the arrears of pay cannot be released. The respondent Museum also submits that they are regulated by the Kerala Service Rules and such liability can be fixed within three years of the retirement.

4. In the teeth of such submission, which has to be accepted especially noticing that the petitioner had retired only on 31.1.2013, no directions can be issued in the above writ petition, at this point.

The writ petition is closed, however, leaving open the contentions of both the parties. No costs.

Sd/-
K.VINOD CHANDRAN,
JUDGE