

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

WEDNESDAY, THE 2ND DAY OF DECEMBER 2015/11TH AGRAHAYANA, 1937

WP(C).No. 20655 of 2005 (H)

PETITIONER:

**M.R. RAMACHANDRAN,
MELETHPARAMBIL HOUSE, PERAMBRA, THRISSUR DISTRICT.**

BY ADV. SRI.P.K.ASHOKAN

RESPONDENTS:

- 1. THE DIRECTOR OF LOCAL FUND AUDIT,
THIRUVANANTHAPURM.**
- 2. THE PRINCIPAL SECRETARY,
DEPARTMENT OF FINANCE, GOVERNMENT OF KERALA
THIRUVANANTHAPURAM.**
- 3. STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY, SECRETARIAT
THIRUVANANTHAPURAM.**

BY GOVERNMENT PLEADER SRI. T.R. RAJESH

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 02-12-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER'S EXHIBITS :-

- | | | |
|--------|---|---|
| EXT.P1 | - | COPY OF THE PROCEEDINGS DATED 01.03.2001. |
| EXT.P2 | - | COPY OF THE PROCEEDINGS DATED 05.03.2001. |
| EXT.P3 | - | COPY OF THE LETTER DATED 29.01.2002 TO THE 1ST RESPONDENT. |
| EXT.P4 | - | COPY OF THE G.O.(P) NO.185/02/FIN. DATED 27.03.2002. |
| EXT.P5 | - | COPY OF THE G.O.(P) NO.803/02/FIN. DATED 30.12.2002. |
| EXT.P6 | - | COPY OF THE REPRESENTATION DATED 24.05.2003 TO THE 1ST RESPONDENT. |
| EXT.P7 | - | COPY OF THE LETTER DATED 08.08.2003 TO THE 2ND RESPONDENT. |
| EXT.P8 | - | COPY OF THE LETTER DATED 09.10.2003 TO THE ACCOUNTANT GENERAL (A&G) THIRUVANANTHAPURAM. |
| EXT.P9 | - | COPY OF THE LETTER DATED 27.11.2003 FROM THE 1ST RESPONDENT. |

RESPONDENTS' EXHIBITS:- NIL

//TRUE COPY//

P.A. TO JUDGE

sp

K. VINOD CHANDRAN, J.

W.P(C). No.20655 of 2005-H

Dated this the 2nd day of December, 2015.

JUDGMENT

None appears for the petitioner when the matter was taken up for consideration yesterday and today. The petitioner is said to have retired from service on 30.06.2000 and granted provisional pension on 01.03.2001, since the Vigilance case under the Prevention of Corruption Act was pending. On a representation, the first respondent is said to have issued a letter dated 09.10.2003 to the Accountant General (A&E) requesting authorization of DCRG and the computed value of pension. The Accountant General issued orders granting the said benefits by proceedings dated 24.11.2003.

2. The second respondent issued Ext.P9 by which it was intimated that the amounts cannot be disbursed, due to the

pending vigilance case. It is also admitted by the petitioner that he was convicted by the Lower Court and the matter is pending in Appeal. However nothing is stated as to what happened to the appeal and as noticed above, none appears for the petitioner.

In such circumstance, the writ petition would stand closed, however leaving open the remedy of the petitioner to move in accordance with law, after the conclusion of the appeal said to have been filed. No costs.

Sd/-

**K. VINOD CHANDRAN,
JUDGE.**

//True Copy//

P.A. to Judge.

sp/09/12/15