

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 23RD DAY OF FEBRUARY 2015/4TH PHALGUNA, 1936

WP(C).No. 11093 of 2014 (J)

PETITIONERS:

1. **MADHUSOODAN.V**
ASSISTANT ADMINISTRATIVE OFFICER
INDIAN INSTITUTE OF MANAGEMENT, KOZHIKODE
KUNNAMANGALAM, KOZHIKODE - 673 570.
2. **SHAJI C.P.**
ASSISTANT ADMINISTRATIVE OFFICER
INDIAN INSTITUTE OF MANAGEMENT, KOZHIKODE
KUNNAMANGALAM, KOZHIKODE - 673 570.
3. **T. MOHANAN**
ADMINISTRATIVE OFFICER
INDIAN INSTITUTE OF MANAGEMENT, KOZHIKODE
KUNNAMANGALAM, KOZHIKODE - 673 570.
4. **MURALEEDHARAN P.G.**
ADMINISTRATIVE OFFICER
INDIAN INSTITUTE OF MANAGEMENT, KOZHIKODE
KUNNAMANGALAM, KOZHIKODE - 673 570.
5. **REJEESH M.P**
ASSISTANT ENGINEER (CIVIL)
INDIAN INSTITUTE OF MANAGEMENT, KOZHIKODE
KUNNAMANGALAM, KOZHIKODE - 673 570.
6. **SREEJAYA P.**
ASSISTANT LIBRARIAN (HG)
INDIAN INSTITUTE OF MANAGEMENT, KOZHIKODE
KUNNAMANGALAM, KOZHIKODE - 673 570.
7. **SUNITHA T.**
ASSISTANT LIBRARIAN HIGHER GRADE
INDIAN INSTITUTE OF MANAGEMENT, KOZHIKODE
KUNNAMANGALAM, KOZHIKODE - 673 570.

8. JAYAKRISHNAN K.S.
ASSISTANT ADMINISTRATIVE OFFICER
INDIAN INSTITUTE OF MANAGEMENT, KOZHIKODE
KUNNAMANGALAM, KOZHIKODE - 673 570.
9. PRASHEEB KUMAR K.K.
ASSISTANT ADMINISTRATIVE OFFICER
INDIAN INSTITUTE OF MANAGEMENT, KOZHIKODE
KUNNAMANGALAM, KOZHIKODE - 673 570.
10. BOSE K.T.
ASSISTANT EXECUTIVE ENGINEER (ELECTRICAL)
INDIAN INSTITUTE OF MANAGEMENT, KOZHIKODE
KUNNAMANGALAM, KOZHIKODE - 673 570.
11. ANILKUMAR PATHIYATH
MANAGER (INFRASTRUCTURE)
INDIAN INSTITUTE OF MANAGEMENT, KOZHIKODE
KUNNAMANGALAM, KOZHIKODE - 673 570.

BY ADV. SRI.KALEESWARAM RAJ

RESPONDENTS:

1. UNION OF INDIA
REPRESENTED BY THE SECRETARY
MINISTRY OF HUMAN RESOURCES, GOVERNMENT OF INDIA
NEW DELHI - 201010.
2. INDIAN INSTITUTE OF MANAGEMENT, KOZHIKODE
REPRESENTED BY THE DIRECTOR
INDIAN INSTITUTE OF MANAGEMENT, IIM CAMPUS P.O.
KOZHIKODE - 673 570.

R1 BY ADVS. SRI.P.MURALEEDHARAN, CGC
SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL
SRI. M.GOPIKRISHNAN NAMBIAR
SRI.P.PARAMESWARAN NAIR,ASG OF INDIA

R2 BY ADVS. SRI.M.GOPIKRISHNAN NAMBIAR
SRI.P.GOPINATH
SRI.P.BENNY THOMAS
SRI.K.JOHN MATHAI
SRI.JOSON MANAVALAN
SRI.KURYAN THOMAS

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 23-02-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT-P1 - TRUE COPY OF THE CIRCULAR DATED 24/10/2000.
- EXHIBIT-P2 - TRUE COPY OF THE JUDGMENT DATED 21/04/2006 IN W.P(C) 12907/2005.
- EXHIBIT-P3 - TRUE COPY OF THE JUDGMENT DATED 07/11/2006 IN W.A 942/2006.
- EXHIBIT-P4 - TRUE COPY OF THE LETTER DATED 10/07/2009.
- EXHIBIT-P5 - TRUE COPY OF THE CIRCULAR DATED 15/02/2013.
- EXHIBIT-P6 - TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE 11TH PETITIONER.
- EXHIBIT-P7 - TRUE COPY OF THE POSTAL RECEIPTS.

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A. TO JUDGE

JJJ

A. MUHAMED MUSTAQUE, J.

W.P.(C) No. 11093 of 2014

Dated this the 23rd day of February, 2015

J U D G M E N T

Petitioners are employees of Indian Institute of Management, Kozhikode, working in different cadre. The petitioners rely on Ext.P1 circular dated 24.10.2000, issued by the 2nd respondent - Indian Institute of Management.

2. It is submitted that by way of Ext.P1 circular GPF-cum-Pension Scheme was introduced for the employees of Indian Institute of Management. It is stated that the benefit of GPF-cum-pension scheme was available in the establishment only to those employees who were, prior to joining the Institute, working in organizations where the scheme was in operation and had opted for the same.

3. The petitioners rely on Exts.P4 and P5 which show that the same benefit was given to five Inter University Centres and also to the employees of National Institute of

Technology, Silchar. Petitioners also seek the same benefit. The 11th petitioner has filed Ext.P6 representation before the 1st respondent through the 2nd respondent seeking the same benefit.

4. No doubt a policy decision may be required in this matter, nevertheless after obtaining necessary concurrence from the 1st respondent and also advertent to Ext.P6 representation, an appropriate decision shall be taken in the matter as expeditiously as possible at any rate within a period of four months, after affording an opportunity of hearing to one of the representatives chosen by the petitioners.

The Writ Petition is disposed of accordingly.

Sd/-
A. MUHAMED MUSTAQUE,
JUDGE

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