

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR.JUSTICE A.M.SHAFIQUE**

WEDNESDAY, THE 9TH DAY OF DECEMBER 2015/18TH AGRAHAYANA, 1937

WP(C).No. 11738 of 2015 (S)

PETITIONER(S):

**KERALA EX-SERVICEMEN WELFARE ASSOCIATION,
REGD. NO.ER 302/94, CIVIL STATION,
KUNNUPURAM ROAD, KAKKANAD, KOCHI-682 030,
REPRESENTED BY ITS PRESIDENT COL. K.B.R. PILLAI (RETD.),
1C-17060L, AGED 75 YEARS, S/O. K. BHASKARAN PILLAI,
RESIDING AT A-1, SAINIK VIHAR, KUSUMAGIRI P.O.,
KAKKANAD, KOCHI-30.**

**BY ADVS.SMT.A.G.ANEETHA,
SMT.M.KABANI DINESH.**

RESPONDENT(S):

- 1. UNION OF INDIA,
REPRESENTED BY SECRETARY TO GOVERNMENT,
MINISTRY OF DEFENCE, SOUTH BLOCK, NEW DELHI-110 011.**
- 2. EX-SERVICEMEN WELFARE DEPARTMENT,
REPRESENTED BY ITS SECRETARY,
MINISTRY OF DEFENCE, SOUTH BLOCK,
NEW DELHI-110 011.**
- 3. STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY,
SECRETARIAT, THIRUVANANTHAPURAM-695 001.**

**R1 & R2 BY ADV. SRI.N.NAGARESH, ASSIST. S.G. OF INDIA.
ADV. SMT.H.SUBHALEKSHMI, CGC
R3 BY SPL. GOVT. PLEADER SMT.GIRIJA GOPAL.**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 09-12-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- P1 : COPY OF JUDGMENT DTD. 22.05.2009 IN OP NO.17371/2000.
- P2 : COPY OF ORDER DTD. 04.11.2009 ISSUED BY 1ST RESPONDENT.
- P3 : COPY OF JUDGMENT OF ARMY TRIBUNAL DTD. 23.09.2010 IN OA. 16/2010.
- P4 : COPY OF ORDER DTD. 12.01.2011 OF 1ST RESPONDENT REJECTION PENSION.
- P4(A): COPY OF COMMUNICATION DTD. 21.12.2009 ISSUED TO CHIEF SECRETARIES OF STATES ENCLOSED ALONG WITH EXT.P4.
- P5 : COPY OF ORDER DTD. 06.07.2011 ISSUED BY THIS HON'BLE COURT IN WP(C).NO. 18252/2011.
- P6 : COPY OF JUDGMENT OF THIS HON'BLE DISMISSING WP(C).NO.18252/2011 DTD. 11.04.2014.
- P7 : COPY OF ORDER OF HON'BLE SUPREME COURT IN SL APPEAL NO.20210/2014.
- P8 : COPY OF REPRESENTATION DTD. 29.12.2014 FILED BEFORE THE 1ST RESPONDENT.

RESPONDENT'S ANNEXURES:-

- ANNEXURE I COPY OF THE TABLE OF THE FINANCIAL ASSISTANCE BY THE STATES AND UNION TERRITORIES.
- ANNEXURE II COPY OF THE REQUEST TO INCREASE THE FINANCIAL ASSISTANCE TO THE STATES/UNION TERRITORIES.
- ANNEXURE III COPY OF THE INFORMATION PROVIDED BY THE DIRECTOR, DIRECTORATE OF SAINIK WELFARE, THIRUVANANTHAPURAM, STATE GOVERNMENT OF KERALA.
- ANNEXURE IV COPY OF THE FORWARD LETTER OF THE REPRESENTATION DATED 29/12/2014 BY THE PETITIONER.
- ANNEXURE V COPY OF THE REPRESENTATION BY THE PETITIONER FORWARDED BY THE SECRETARY KSB UNDER INTIMATION TO THE PETITIONER.

//TRUE COPY//

P.S. TO JUDGE

rs.

**ASHOK BHUSHAN, C.J &
A.M. SHAFFIQUE, J.**

W.P.(C) No.11738 of 2015

Dated this the 9th day of December 2015

J U D G M E N T

Shaffique, J.

The petitioner has approached this Court seeking for the following relief :-

“to issue a writ or order in the way of mandamus or otherwise directing the respondents to grant immediate monetary assistance to the remaining Second World War Veterans”

It is now brought to the notice of this Court that the State Government, vide order No.GO(MS)No.300/15/GAD dated 23.11.2015 has issued direction to enhance the pension from ₹1,500/- to ₹4,000/- and ₹750/- to ₹2,500/-. Apparently, the members of the petitioner Organisation will also be entitled for the said benefit.

We take on record the aforesaid government order and close this writ petition.

**Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE**

**Sd/-
A.M. SHAFFIQUE
J U D G E**