

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.SURENDRA MOHAN

TUESDAY, THE 24TH DAY OF FEBRUARY 2015/5TH PHALGUNA, 1936

WP(C).No. 19554 of 2007 (C)

PETITIONER:

**THE MANAGING DIRECTOR, KERALA STATE
ROAD TRANSPORT CORPORATION, THIRUVANANTHAPURAM
REPRESENTED BY DEPUTY LAW OFFICER
SRI.RANJITH JOSEPH.**

**BY ADVS.SRI.K.PRABHAKARAN, SC, K.S.R.T.C.
SRI.V.V.NANDAGOPAL NAMBIAR,SC, KSRTC
SRI.JOY GEORGE, SC, K.S.R.T.C.**

RESPONDENT(S):

- 1. K.CHACKO,CHERUVILA PUTHEN VEEDU,
AERAM, EDANAD.P.O., KARAMCODE
CHATHANNOOR, KOLLAM.**
- 2. THE KERALA LOK AYUKTA,
THIRUVANANTHAPURAM.**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 24-02-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

kkj

WP(C).No. 19554 of 2007 (V)

APPENDIX

PETITIONER'S EXHIBITS

- EXT.P1: TRUE COPY OF THE COMPLAINT NO.266/2006 DTD 10.10.2006
- EXT.P2: TRUE COPY OF THE STATEMENT FILED ON BEHALF OF KSRTC DATED
12.04.2007.
- EXT.P3: TRUE COPY OF THE ORDER OF THE KERALA LOK AYUKTA ON
COMPLAINT NO.2676/2006 DATED 29.05.2007

RESPONDENTS' EXHIBITS

NIL

// TRUE COPY //

PA TO JUDGE

K.SURENDRA MOHAN, J.

W.P.(C) No.19554 of 2007

Dated this the 24th day of February, 2015

J U D G M E N T

The petitioner has filed this writ petition challenging Exhibit P3 order of the second respondent by which, the first respondent has been directed to be paid his retirement benefits namely DCRG and Commuted Value of Pension within a period of two weeks of the date of receipt of a copy of the said order. The contention of Sri. Joy George who appears for the petitioner is that, the petitioner had been paying the retirement benefits to its retired employees in accordance with the directions issued by a Division Bench of this Court in W.A.No.289 of 2001, strictly on priority basis. The directions were issued by this Court considering the poor financial condition of the petitioner. The first respondent had sought for out of turn disbursement of his retirement benefits alleging that he had to discharge the debts contracted by him for solemnizing the marriage of his

son. It is contended that, since the marriage was solemnized on 28.08.2006 much before the date of Exhibit P3 order, there was no justification for the direction to pay his retirement benefits on priority.

2. Heard. A perusal of Exhibit P3 order shows that, the second respondent has gone into the question in the proper perspective. It has been noticed that, the need to discharge the liabilities contracted for solemnizing the marriage of her son requires to be given priority. The decision of this Court has also been referred to in support of the said view. It was for the said reason that, the direction in Exhibit P3 has been issued. I do not find any infirmity in Exhibit P3 warranting an interference with the same.

In view of the above, this writ petition fails and is accordingly dismissed.

Sd/-
K.SURENDRA MOHAN,
JUDGE

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