

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:-

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

FRIDAY, THE 11TH DAY OF SEPTEMBER 2015/20TH BHADRA, 1937HH

W.P.(C).No.19264 of 2009 (C)

PETITIONER(S):-

ANNIE PAUL (RETD. SELECTION GRADE LECTURER),
DEVAMATHA COLLEGE, KURAVILANGAD,
AGED 63 YEARS, W/O.M.C.MANI,
RESIDING AT MOOLAYIL HOUSE, KURUVILANGAD.

BY ADVS.SRI.SIJI ANTONY
SRI.GIMMY GEORGE (THIRUVAMPADY).

RESPONDENT(S):-

1. STATE OF KERALA,
REPRESENTED BY COMMISSIONER AND SECERTARY,
FINANCE DEPARTMENT (FBS-B), SECRETARIAT,
THIRUVANANTHAPURAM.
2. DIRECTOR OF COLLEGIATE EDUCATION,
VIKAS BHAVAN, THIRUVANANTHAPURAM.
3. DEPUTY DIRECTOR OF COLLEGIATE EDUCATION,
OFFICE OF THE DEPUTY DIRECTOR, KOTTAYAM.
4. PRINCIPAL,DEVAMATHA COLLEGE,
KURAVILANGAD.P.O, KOTTAYAM.

R1 TO R3 BY GOVERNMENT PLEADER SRI.S.JAMAL.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
11-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:-

W.P.(C).NO.19264 OF 2009-C

APPENDIX

PETITIONER'S EXHIBITS:-

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- | | |
|--------|---|
| EXT.P1 | TRUE COPY OF THE REQUEST DATED 29.12.2004 SUBMITTED BEFORE THE 2ND RESPONDENT. |
| EXT.P2 | COPY OF THE COMMUNICATION NO.D1/961/05 DATED 22.7.2006. |
| EXT.P3 | TRUE COPY OF THE CLARIFICATION SENT BY THE PETITIONER DATED 4.1.2007. |
| EXT.P4 | TRUE COPY OF THE FORWARDING NOTE ISSUED BY THE 4TH RESPONDENT DATED 5.1.2007. |
| EXT.P5 | TRUE COPY OF THE COMMUNICATION NO.D1/68/2005 DATED 19.1.2005 TO THE 1ST RESPONDENT. |
| EXT.P6 | TRUE COPY OF THE COMMUNICATION NO.D1/68/2005 DATED 7.5.2005. |
| EXT.P7 | TRUE COPY OF THE REPRESENTATION SENT TO THE 2ND RESPONDENT DATED 2.2.2009. |

RESPONDENT'S EXHIBITS:-

----- NIL.

Vku/- [true copy]

K. Vinod Chandran, J

W.P.(C).No.19264 of 2009-C

Dated this the 11th day of September, 2015

JUDGMENT

The petitioner seeks for consideration of the period spent in service in the post of Demonstrator during the period from 10.07.1967 to 31.05.1968 for pensionary benefits.

2. The petitioner admittedly retired as a Selection Grade Lecturer (LSG) on 30.06.2001. The petitioner's pension was sanctioned and she has been drawing the same. Subsequently, by Exhibit P1 in 2004, the petitioner sought for the aforesaid service also to be considered for computing the pensionary benefits and sought for a revision of the pension. The application itself was delayed and the Government could not have acted upon the same. The writ petition also is seen filed on 08.07. 2009, after the expiry of eight years of retirement from service. There can be no consideration of the belated application at Exhibit P1 or the writ petition.

Resultantly, the writ petition would stand dismissed. No costs.

Sd/-

K.Vinod Chandran
Judge.

vkul/-

[true copy]