

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

FRIDAY, THE 3RD DAY OF JULY 2015/12TH ASHADHA, 1937

WP(C).No. 15116 of 2015 (L)

PETITIONER(S):

**G.BALACHANDRAN NAIR, AGED 56 YEARS,
S/O.LATE GOVINDAN NAIR
HDV DRIVER SLN.GR.(RETIRED) RARS, KUMARAKOM
RESIDING AT AMBATTUKUNNEL HOUSE, KOOTHATTUKULAM P.O
ERNAKULAM-686 662.**

**BY ADVS.SRI.R.SANJITH
SMT.K.JASMIN BABY
SMT.C.S.SINDHU KRISHNAH
SRI.R.ANAND MOHAN**

RESPONDENT(S):

- 1. STATE OF KERALA
REPRESENTED BY ITS SECRETARY
AGRICULTURAL DEPARTMENT, SECRETARIAT
THIRUVANANTHAPURAM -695 001.**
 - 2. KERALA AGRICULTURAL UNIVERSITY
REPRESENTED BY ITS REGISTRAR, VELLANIKKARA
THRISSUR - 680 656.**
 - 3. THE COMPTROLLER
KERALA AGRICULTURAL UNIVERSITY, VELLANIKKARA
THRISSUR - 680 656.**
- R BY GOVERNMENT PLEADER SMT.M.J.RAJASREE
R BY SRI.BABU JOSEPH KURUVATHAZHA,SC,KERALA AGRICULTURAL
UNIVERSITY**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
03-07-2015, CTHE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

WP(C).No. 15116 of 2015 (L)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXT.P1 - TRUE COPY OF THE ORDERS SANCTIONING PENSIONARY BENEFITS
TO PETITIONER DATED 31.12.2014**

EXT.P2 - TRUE COPY OF THE JUDGMENT IN WPC.NO.3962/2015 DATED 09/02/2015

RESPONDENT(S)' EXHIBITS: NIL

//TRUE COPY//

P.S. TO JUDGE

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C).NO.15116 OF 2015 (L)

Dated this the 3rd day of July, 2015

J U D G M E N T

The petitioner retired from the services of the 2nd respondent University on 31.12.2014 on attaining the age of superannuation. In the writ petition, the petitioner is aggrieved by the non-disbursal by the respondent University of the pensionary benefits that have been admitted as payable to him through Ext.P1 order. In the writ petition, the petitioner prays for a direction to the respondents to release the terminal benefits due to him, expeditiously.

2. I have heard the learned counsel for the petitioner as also the learned Standing counsel for the respondent University.

On a consideration of the facts and circumstances of the case as also the submissions made across the bar, and also taking note of the submission of counsel for the respondent University that the retirement benefits due to the petitioner have not been paid only because the respondent University is currently facing a financial

crunch, I dispose the writ petition with a direction to the respondent University to disburse the retirement benefits that are admitted and due to the petitioner, as evidenced by Ext.P1 order, within a period of four months from the date of receipt of a copy of this judgment. I make it clear that if the amounts due to the petitioner are not disbursed to him within the period of four months, then the amounts shall carry interest @ 6% from the date of expiry of the period of four months referred to above till the date of actual disbursement of the amounts to the petitioner.

A.K.JAYASANKARAN NAMBIAR
JUDGE

prp