

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

WEDNESDAY, THE 3RD DAY OF JUNE 2015/13TH JYAISHTA, 1937

WP(C).No. 15205 of 2015 (A)

PETITIONER(S):

- 1. V.T.KURIAN, AGED 64 YEARS
S/O.LATE V.K.THOMMAN, POOL OFFICER(RETIRED)
KAU HEAD QUARTERS, VELLANIKKARA, ELIYATHUMARI
VATTILIPADI, IRINGLE P.O., PERUMBAVOOR 683 545**
- 2. MARY.K.M, W/O.V.T.KURIAN AGED 63 YEARS
SECTION OFFICER (FC & D), UNIVERSITY LIBRARY
VELLANIKKARA, VELIYATHUMARI, VATTILIPADI
IRINGLE P.O., PERUMBAVOOR 683 545.**
- 3. K.K.MARY, W/O.V.K.JOSEPH, AGED 62 YEARS
SECTION OFFICER (FC & D), HR.GR.(RETIRED)
KAU HEAD QUARTERS, VELLANIKKARA, VARATHAN HOUSE
KAKKADKARA, MAMALA P.O., THIRUVANKULAM
ERNAKULAM 682 305.**

**BY ADVS.SRI.R.SANJITH
SMT.C.S.SINDHU KRISHNAH**

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 680 565.**
- 3. THE COMPTROLLER
KERALA AGRICULTURAL UNIVERSITY, VELLANIKKARA
THRISSUR 680 656**

**R BY GOVERNMENT PLEADER, SMT. LOUSY A.
R BY SRI.BABU JOSEPH KURUVATHAZHA,SC,KERALA AGRICULTURA**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
03-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

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| EXT. P1- | TRUE COPY OF THE PENSION PAYMENT ORDERS ISSUED TO THE 1ST PETITIONER |
| EXT. P2- | TRUE COPY OF THE PENSION PAYMENT ORDERS ISSUED TO THE 2ND PETITIONER |
| EXT. P3- | TRUE COPY OF THE PENSION PAYMENT ORDERS ISSUED TOT HE 3RD PETITIONER |
| EXT. P4- | TRUE COPY OF HTE REVISED PENSION ORDERS OF THE 1ST PETITIONER |
| EXT. P5- | TRUE COPY OF THE REVISED PENSION ORDERS OF THE 2ND PETITIONER |
| EXT. P6- | TRUE COPY OF THE REVISED PENSION ORDERS OF THE 3RD PETITIONER |
| EXT. P7- | TRUE COPY OF THE STATEMENT OF PENSION ARREARS DUE TO THE 1ST PETITIONER |
| EXT. P8- | TRUE COPY OF THE STATEMENT OF PENSION ARREARS DUE TO THE 2ND PETITIONER |
| EXT. P9- | TRUE COPY OF THE STATEMENT OF PENSION ARREARS DUE TO THE 3RD PETITIONER |
| EXT. P10- | TRUE COPY OF THE STATEMENT SHOWING DEARNESS RELIEF ARREARS DUE TO THE 1ST AND 2ND PETITIONER |
| EXT. P11- | TRUE COPY OF THE STATEMENT SHOWING DEARNESS RELIEF ARREARS DUE TO THE 3RD PETITIONER |
| EXT. P12- | TRUE COPY OF THE JUDGMENT IN WP(C) NO.3962/2015 DATED 09.2.2015 |

RESPONDENT(S)' EXHIBITS

NIL.

// True copy //

PA to Judge

das

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C). No. 15205 of 2015

Dated this the 3rd day of June, 2015

JUDGMENT

The petitioners, who were the retired employees of the respondent University, is aggrieved by the non payment of the retirement benefits, such as Gratuity Pension commutation and other monitory dues. In the writ petition, the prayer is for a direction to the respondents to sanction the retirement benefits expeditiously.

2. I have heard the learned counsel appearing for the petitioners and also the learned Standing Counsel appearing for the respondent University.

3. The learned Standing Counsel for the respondent University would submit that the respondent University has prepared a list of retirees of the University and the petitioners' name features as Sl.Nos.1029 (1st petitioner), 1187 (2nd petitioner) and 1320 (3rd petitioner) in that list. It is a case of the respondent that, the delay in disbursement of the retirement benefits is only on account of paucity of funds and if sufficient period is given for disbursement of the same, the respondent will disburse the amounts due to the petitioners within that time.

On a consideration of the facts and circumstances of the case as also the submissions made across the bar and taking note of the plea of financial hardship urged by the learned Standing Counsel for the respondent University, I dispose the writ petition with a direction to the respondent University to disburse the pensionary benefits, that are due to the petitioners, within a period of six months from the date of receipt of a copy of this judgment. I make it clear that, if the respondent University does not disburse the pensionary benefits within the time granted above, then the payment of retirement benefits to the petitioners, will carry interest at the rate of 6% per annum from the date immediately on the expiry of the aforesaid period till the date on which the payment is actually made to the petitioners.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE