

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

FRIDAY, THE 26TH DAY OF JUNE 2015/5TH ASHADHA, 1937

WP(C).No. 18000 of 2015 (Y)

PETITIONER(S):

**K.JAYACHANDRAN NAIR AGED 58 YEARS
S/O.KUNHIKRISHNA PILLAI, ATHIRA BHAVAN, MYLAM
CHERIYAKONNI P.O., THIRUVANANTHAPURAM.**

**BY ADVS.SRI.S.RAJEEV
SRI.K.K.DHEERENDRAKRISHNAN
SRI.V.VINAY**

RESPONDENT(S)/RESPONDENTS:-:

- 1. SUPPLYCO
REPRESENTED BY ITS MANAGING DIRECTOR, MAVELI BHAVAN
MAVELI ROAD, GANDHI NAGAR, ERNAKULAM - 682 020.**
- 2. MANAGNG DIRECTOR
KERALA CIVIL SUPPLIES CORPORATION, SUPPLYCO
MAVELI BHAVAN, MAVELI ROAD, GANDHI NAGAR
ERNAKULAM - 682 020.**
- 3. REGIONAL MANAGER
SUPPLYCO REGIONAL OFFICE, PRS ROAD, THYCAUD
THIRUVANANTHAPURAM - 695 014.**
- 4. ASSISTANT MANAGER
SUPPLYCO, DISTRICT DEPOT, THIRUVANANTHAPURAM.**

R1 BY ADV. SMT.MOLLY JACOB,SC,SUPPLYCO

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
26-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1. TRUE COPY OF THE MEMO OF CHARGES NO.BIO-9719/02 DATED 16.11.2003 ISSUED BY THE 3RD RESPONDENT AND THE REPLY BY THE PETITIONER.**
- EXHIBIT P2. TRUE COPY OF THE CHARGE MEMO NO.BIO-9450/04 DATED 01.01.2015 AND REPLY DATED 14.03.2005.**
- EXHIBIT P3. TRUE COPY OF THE MEMO OF CHARGES NO.T9-2498/02 DATED 07.07.2012 AND THE REPLY DATED 04.10.2012.**
- EXHIBIT P4. TRUE COPY OF THE DEMAND NOTICE NO.A7 595/2014 DATED 26.06.2014 AND TEH REPLY DATED 11.08.2014.**
- EXHIBIT P5. TRUE COPY OF THE DAMAND NOTICE NO.A9-109/14 DATED 14.02.2014 AND THE REPLY DATED 19.02.2014.**
- EXHIBIT P6. TRUE COPY OF THE MEMO OF CHARGES NO.T9/5926/14 DATED 12.02.2015 AND THE REPLY DATED 03.03.2015.**
- EXHIBIT P7. TRUE COPY OF THE REPRESENTATION DATED 25.04.2014 FILED BEFORE RESPONDENTS 2 AND 3.**

RESPONDENT(S)' EXHIBITS

nil

// True copy //

das

PA to Judge

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C). No. 18000 of 2015

Dated this the 26th day of June, 2015

JUDGMENT

The petitioner who retired from the service of the 1st respondent Corporation as Assistant Sales Manager on 30.09.2014, is aggrieved by the inaction on the part of the respondent in not completing the disciplinary proceedings, that have been initiated against him, while he was in service. It is the case of the petitioner that, on account of the pendency of the said disciplinary proceedings, that were initiated against him while he was in service, the retirement benefits that are due and payable to him are now being delayed by the respondents.

2. I have heard the learned counsel appearing for the petitioner and also the learned Standing Counsel appearing for the respondent Corporation.

3. The learned Standing Counsel for the Corporation would submit, on instructions, that if a period of four months is granted to the Corporation, they can complete the proceedings which have been initiated against the petitioner. Taking note of the said submission, I dispose the writ petition with a direction to the respondent Corporation to complete the disciplinary proceedings

initiated against the petitioner, within a period of four months from today. I make it clear that, if the proceedings are not completed within the aforesaid time, then the petitioner shall stand be entitled to all the retirement benefits, that are otherwise due and payable to the him, and the respondent Corporation shall disburse the same immediately thereafter. I further make it clear that the aforementioned time limit, specified for the Corporation to complete the disciplinary proceedings, is conditional upon the petitioner co-operating with the same. To enable this, the respondent Corporation shall promptly furnish all the documents, that are sought for by the petitioner, and also afford him a personal hearing within the time granted above.

The writ petition is disposed as above.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE