

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:-

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

THURSDAY, THE 10TH DAY OF DECEMBER 2015/19TH AGRAHAYANA, 1937

W.P.(C).No.18199 of 2015 (Y)

PETITIONER(S):-

CHRISTEEN. V.,
HEAD NURSE GRADE-I (RETIRED),
RESIDING AT "KRIPA", THATTARAKONAM, AMARAVILA P.O.,
THIRUVANANTHAPURAM DISTRICT - 695 122.

BY ADVS.SRI.BRIJESH MOHAN
SMT.RESMI G. NAIR

RESPONDENT(S):-

1. STATE OF KERALA,
REPRESENTED BY ITS SECRETARY TO GOVERNMENT,
HEALTH AND FAMILY WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.
2. REGIONAL CANCER CENTRE, THIRUVANANTHAPURAM,
MEDICAL COLLEGE CAMPUS,
THIRUVANANTHAPURAM - 695 011, REPRESENTED BY ITS DIRECTOR.
3. THE DIRECTOR,
REGIONAL CANCER CENTRE, THIRUVANANTHAPURAM,
MEDICAL COLLEGE CAMPUS, THIRUVANANTHAPURAM - 695 011.

R1 BY GOVERNMENT PLEADER SMT.ALOWSY.
R2 & R3 BY STANDING COUNSEL SRI.M.SREEKUMAR.
R2&3 BY ADV. SRI.A.ABDUL KHARIM
R BY SRI.K.R.RADHAKRISHNAN NAIR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
10-12-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1: COPY OF GOVERNMENT ORDER GO(MS) NO.133/2011/H&FWD
DATED 26/02/2011.
- EXT.P2: COPY OF GOVERNMENT ORDER GO(MS) 411/2013/H&FWD
DATED 9/10/2013.
- EXT.P3: COPY OF ORDER NO.1090/HN/2011/ADMN.IV/RCC
DATED 31/10/2011 ISSUED BY THE 3RD RESPONDENT.
- EXT.P4: COPY OF POSTAL RECEIPT SHOWING FORWARDING OF
REQUEST OF THE PETITIONER TO THE 2ND RESPONDENT.

RESPONDENT(S)' EXHIBITS:-

- EXT.R1(a) GOVERNMENT ORDER G.O.(MS) NO.267/15/H&FWD.
DATED 21.11.2015.

vku/-

[true copy]

K. Vinod Chandran, J

W.P.(C).No.18199 of 2015-Y

Dated this the 10th day of December, 2015

JUDGMENT

The petitioner was before this Court, claiming pension as contemplated by the Government by Exhibits P1 and P2 orders. The Government had also promised to disburse funds, on a one-time basis, to satisfy the above liability, which, it is submitted, has already been transferred by the Government to the Regional Cancer Centre. The learned Standing Counsel for the Regional Cancer Centre points out that, out of Rs.34,00,00,000/- (Rupees thirty four crores) promised, only Rs.11,00,00,000/- (Rupees eleven crores) have been transferred.

2. An affidavit has been filed on behalf of the 1st respondent-State, in which Exhibit R1(a) [G.O.(MS) No.267/2015/H&FWD dated 21.11.2015] has been produced, wherein the sanction has been accorded. It is seen from Exhibit R1(a) that pension is permitted for persons who had retired from service between 26.02.2011 and 31.03.2013. The petitioner has retired on 30.10.2011, coming within the said period.

3. In the above circumstance, the Regional Cancer Centre shall consider the pension claim of the petitioner and disburse the amounts as is computed as per Exhibit R1(a), within a period of three months from the date of receipt of a certified copy of this judgment.

The writ petition is disposed of as above.

Sd/-

K.Vinod Chandran
Judge.

vkul/-

[true copy]