

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

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

WP(C).No. 18652 of 2015 (F)

PETITIONER(S):

T DHANUJA, AGED 58 YEARS
W/O. LATE VINESH KUMAR, KOTHAPALLY NORTH
KUMARAPURAM PO, HARIPPAD, ALAPPUZHA DISTRICT

BY ADV. SRI.N.SASIDHARAN UNNITHAN

RESPONDENT(S):

1. THE KRALA STATE ROAD TRANSPORT CORPORATION
REPRESENTED BY THE MANAGING DIRECTOR, KSRTC
THRIUVANATHAPURAM 695023
2. DISTRICT TRANSPORT OFFICER
KSRTC, KOLLAM UNIT 691 001

R BY SRI.M.GOPIKRISHNAN NAMBIAR, SC, KSRTC

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

APPENDIX IN W.P.(C) NO.18652 OF 2015

PETITIONER'S EXTS:

- EXT.P1 TRUE COPY OF THE APPOINTMENT MEMO DATED 1/3/2005 ISSUED
 THE SECOND RESPONDENT.
- EXT.P2 TRUE COPY OF THE DEATH CERTIFICATE ISSUED FROM THE
 KOLLAM CORPORATION DATED 19/12/2007
- EXT.P3 TRUE COPY OF THE JUDGMENT DATED 20/6/2013 IN WCC.NO.55/2009
 OF THE WORKMEN'S COMPENSATION COMMISSIONER.
- EXT.P4 TRUE COPY OF THE LETTER 22/11/2014 OF THE PETITIONER
 SENT TO THE FIRST RESPONDENT.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

W.P (C) No.18652 of 2015

Dated this the 26th day of June, 2015

J U D G M E N T

The operative part of Ext.P3 judgment in WCC.No.55/2009 filed by the petitioner and her daughter against the first respondent reads as follows:-

16. In these circumstances, the opposite party is hereby directed to deposit with this Court an amount of Rs.3,88,697/- (Rupees Three Lakhs Eighty Eight Thousand Six Hundred and Ninety Seven only) as compensation with 12% interest from the date of accident (14.11.2007) to till the date of deposit, within thirty days from the date of receipt of this award. The opposite party is also directed to deposit Rs.500/- (Rupees Five Hundred only) with the Commissioner towards the balance of the funeral expenses to be paid to the dependants of the deceased workman. Failing which the entire amount will be realised as arrear of land revenue under the provisions of the Revenue Recovery Act, as per Sn.31 of the Employee's Compensation Act, 1923.

2. More than two years have elapsed since then and the amount has not been deposited by the respondents despite Ext.P4 letter of the petitioner.

Ext.P3 judgment has become final and no appeal has been filed under Section 30 of the Employee's Compensation Act, 1923.

3. I direct the first respondent to consider Ext.P4 letter and take steps to satisfy Ext.P3 judgment within a period of two months. The amount shall be paid or deposited by the respondents for release to the petitioner and her daughter in accordance with the norms followed.

The writ Petition is disposed of.

Sd/-
V.CHITAMBARESH,
Judge.

nj.