

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

THURSDAY, THE 16TH DAY OF JULY 2015/25TH ASHADHA, 1937

WP(C).No. 20821 of 2014 (C)

PETITIONERS:

1. P.K.KUNJUPILLAI, AGED 70 YEARS,
S/O KUMARAN, KORAKADUVILA, PATHANAPURAM P.O.,
KOLLAM DISTRICT, 691 001
2. A. BHASHEER KUTTY, AGED 72 YEARS,
S/O HANEEFA KUNJU, NEDIYAVILA VEEDU, MYLAPPARA,
UMAYANALLOOR PO, KOLLAM DISTRICT - 691 001

BY ADV. SRI.VINOY VARGHESE KALLUMOOTTILL

RESPONDENTS:

1. STATE OF KERALA,
REPRESENTED BY ITS SECRETARY TO GOVERNMENT,
DEPARTMENT OF INDUSTRIES,
THIRUVANANTHAPURAM - 695 001.
2. THE EMPLOYEES PROVIDENT FUND ORGANIZATION,
REGIONAL OFFICE, BHAVISHYANIDHI BHAVAN, PATTOM,
THIRUVANANTHAPURAM - 695 001,
REPRESENTED BY THE COMMISSIONER.
3. THE COMMISSIONER,
THE OFFICE OF THE EMPLOYEES PROVIDENT FUND
COMMISSIONER, SUB REGIONAL OFFICE, CHINNAKKADA,
KOLLAM - 691 001.
4. THE RECOVERY OFFICER,
EMPLOYEES PROVIDENT FUND ORGANISATION, ANDAMUKKAM,
KOLLAM DISTRICT - 691 001.
5. QETCOS LTD.
UMAYANALLOOR, KOLLAM, REP. BY ITS MANAGING DIRECTOR,
UMAYANALLOOR PO, KOLLAM - 691 001.

R2 -R 4 BY ADV. SRI.N.N.SUGUNAPALAN (SR.)
R2 -R 4 BY ADV. SMT.T.N.GIRIJA, SC,EPF ORGANISATION
R5 BY ADV. SRI.S.MOHAMMED AL RAFI
R BY SRI. G. GOPAKUMAR, GOVERNMENT PLEADER
R BY SRI.PIRAPPANCODE V.S.SUDHIR, SC, EPF ORGANISATION

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
16-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

APPENDIX

PETITIONERS' EXHIBITS :

EXHIBIT P1 : TRUE COPY OF THE JUDGMENT IN WP(C) NO.13808/2009.

EXHIBIT P2 : TRUE COPY OF THE LIST OF RETIRED EMPLOYEES OF THE 5TH
RESPONDENT INDUSTRY FROM THE YEAR 1992.

RESPONDENTS' EXHIBITS :

EXHIBIT R5(a): TRUE COPY OF THE JUDGMENT IN W.P.(C) NO. 6608/2008 OF
THIS HON'BLE COURT.

EXHIBIT R5(b): TRUE COPY OF THE JUDGMENT IN W.A. NO. 1998/2008 DATED
01.03.2012.

/True Copy/

P.A to Judge.

DAMA SESHADRI NAIDU, J.

W.P. (C) No. 20821 of 2014

Dated this the 16th day of July, 2015.

JUDGMENT

Heard the learned counsel for the petitioners, the learned Government Pleader and the learned Standing Counsel for EPF as well as the 5th respondent, apart from perusing the record. Since the issue lies in a narrow compass, this Court proposes to dispose of the writ petition at the admission stage itself.

2. The petitioners, having retired from the service of the 5th respondent, have a grievance that they have not been paid the retirement benefits in terms of Ext.P2 priority list prepared by the 5th respondent. Seeking a direction to the 5th respondent to adhere to Ext.P2 priority list, the petitioners have filed the present writ petition.

3. The learned counsel for the 5th respondent has submitted that the 5th respondent does not have any objection to adhere to Ext.P2 priority list and disburse the retirement

benefits strictly accordingly.

4. In the light of the submissions made by the learned counsel for the 5th respondent, I do not see any issue to be adjudicated upon on merits. Suffice it to observe that the 5th respondent has undertaken before this Court, through its learned counsel, to strictly comply with Ext.P2 priority list and disburse the retirement benefits to the retired employees, including the petitioners.

With the above observation, this writ petition is disposed of.

sd/- DAMA SESHADRI NAIDU, JUDGE.

rv

