

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 4TH DAY OF MARCH 2015/13TH PHALGUNA, 1936

WP(C).No. 25711 of 2013 (L)

PETITIONER(S) :

R.KRISHNAN NAIR,
S/O.RAMAKRISHNA PILLAI, SARAKRISHNA, TC NO.2/797
CHALAKUZH ROAD, MEDICAL COLLEGE P.O.
THIRUVANANTHAPURAM-695 011.

BY ADVS.SRI.D.AJITHKUMAR
SRI.D.JEEVAN

RESPONDENT(S) :

1. TRAVANCORE DEVASWOM BOARD,
REPRESENTED BY ITS SECRETARY, NANTHANCODE
THIRUVANANTHAPURAM.

2. SECRETARY,
TRAVANCORE DEVASWOM BOARD NANTHANCODE
THIRUVANANTHAPURAM.

3. DEVASWOM COMMISSIONER,
TRAVANCORE DEVASWOM BOARD NANTHANCODE
THIRUVANANTHAPURAM

4. DEPUTY DEVASWOM COMMISSIONER,
PENSION AND SERVICE GRIEVANCE REDRESSAL CELL,
TRAVANCORE DEVASWOM BOARD NANTHANCODE
THIRUVANANTHAPURAM

5. DEVASWOM ACCOUNTS OFFICER,
DEVASWOM ACCOUNT OFFICE,
TRAVANCORE DEVASWOM BOARD NANTHANCODE
THIRUVANANTHAPURAM.

6. EXECUTIVE OFFICER
SABARIMALA, TRAVANCORE DEVASWOM BOARD , SABARIMALA.

R BY ADV. SRI.M.V.S.NAMBOOTHIRI, SC, TRAVANCORE DEVASWOM
BOARD

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
04-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) ' EXHIBITS

EXHIBIT P1.THE TRUE COPY OF THE ORDER DATED 22/5/2004 SANCTIONING THE PREMATURE INCREMENT ISSUED BY THE 1ST RESPONDENT.

EXHIBIT P2.THE TRUE COPY OF THE ORDER DATED 22/9/2004 OF THE 1ST RESPONDENT

EXHIBIT P3.THE TRUE COPY OF THE ORDER NO.4944/04/PEN. DATED 22/9/2004 OF THE 1ST RESPONDENT

EXHIBIT P4.THE TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT DATED 16/8/2004.

EXHIBIT P4(A).THE TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT DATED 25/10/2004.

EXHIBIT 4(B).THE TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT DATED 21/54/2005.

EXHIBIT 4(C).THE TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT DATED 9/6/2007.

EXHIBIT 4(D).THE TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT DATED 26/5/2008.

EXHIBIT 4(E).THE TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT DATED 12/1/2009.

EXHIBIT P5.THE TRUE COPY OF THE COMMUNICATION OF THE 2ND RESPONDENT DATED 19/1/2009.

EXHIBIT P6.THE TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE PRESIDENT, TRAVANCORE DEVASWOM BOARD DATED 23/8/2011.

EXHIBIT P7.THE TRUE COPY OF THE CIRCULAR DATED 10/4/1985 ISSUED BY THE GOVERNMENT OF KERALA.

EXHIBIT P8.THE TRUE COPY OF THE CIRCULAR DATED 2/11/2011 ISSUED BY THE GOVERNMENT OF KERALA.

EXT.P9: COPY OF NOTICE DATED 12/2/2014 ISSUED BY THE 6TH RESPONDENT.

ET.P10: COPY OF REPLY DATED 20/2/2014 ISSUED TO THE 6TH RESPONDENT

RESPONDENT(S) ' EXHIBITS

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/TRUE COPY/ PS TO JUDGE.

A.MUHAMED MUSTAQUE, J.

W.P.(C) No. 25711 OF 2013

Dated this the 4th day of March, 2015

JUDGMENT

The petitioner has approached this Court on account of non disbursal of DCRG. It is submitted that pending the writ petition, the DCRG has been disbursed to the petitioner. The petitioner was also paid interest at the rate of 7.5%. The petitioner's grievance is that he was not given interest for the last pay. If that be the case, if there was delay in disbursing the last pay, interest at the rate of 7.5% shall be calculated from the date of due till the date of disbursal.

2. The petitioner relied on the judgment of this Court in of this Court in **Krishnan Namboothiri T.V. v. Travancore Devaswom Board, Tvm and Others (2015 (1) KHC 143)** for claiming interest at the rate of 10%. Since the petitioner has already paid interest at the rate of 7.5%, he is not entitled to claim interest at the rate of 10%. There is no rule that in every case interest should be paid at the rate of 10%. Needful shall be done to comply with the judgment within one

month from the date of receipt of a copy of this judgment.

The writ petition is disposed of as above.

Sd/-

**A.MUHAMED MUSTAQUE,
Judge.**

dpk

/True copy/ PS to Judge.

