

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRAN

FRIDAY, THE 21ST DAY OF AUGUST 2015/30TH SRAVANA, 1937H

WP(C).No. 25994 of 2015 (Y)

PETITIONER(S):

**GOKULDAS, PARAKKUNNU PARAMBIL HOUSE,
ATHAVANADU PO, MALAPPURAM DISTRICT**

**BY ADVS.SRI.KRISHNADAS P. NAIR
SMT.K.L.SREEKALA
SRI.HARIDAS P.NAIR
SRI.M.A.VINOD
SMT.B.SABITHA (DESOM)**

RESPONDENT(S):

- 1. GOVERNMENT OF KERALA
REPRESENTED BY THE PRINCIPAL SECRETARY,
FINANCE DEPARTMENT, GPAIS CLAIMS SECTION
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 014**
- 2. THE MALAPPURAM DISTRICT CO-OPERATIVE BANK LTD;
NO.4329, HEAD OFFICE, P.B. NO.8,
MALAPPURAM - 676 505**
- 3. THE DIRECTOR OF INSURANCE,
DIRECTORATE OF INSURANCE
TRANS TOWER, VAZHUTHACAUD,
THIRUVANANTHAPURAM - 695 014**

**R1 & R3 BY SRI BIJU MEENATTOOR, GOVERNMENT PLEADER
R2 BY SRI.E.S.M.KABEER,SC,MALAPPURAM DIST.CO-**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 21-08-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER'S EXHIBITS:

- P1: COPY OF THE LETTER NO.HO/GPAIS/CLAIM/14 DATED 05.02.2014
- P2: COPY OF THE LETTER NO.14233/EST.D3/14/FIN DATED 06.03.2014
- P3: COPY OF THE LETTER NO.HO/GPAIS/CLAIMS/14/10856 DATED 19.03.2014
- P4: COPY OF THE LETTER NO.14233/EST.D3/14/FIN DATED 15.05.2014
- P5: COPY OF LETTER NO.HO/GPAIS/CLAIM/13 DATED 03.06.2014
- P6: COPY OF THE LETTER NO.KSID/GPAIS/M4/7471/14 DATED 21.06.2014
- P7: COPY OF THE APPEAL SUBMITTED BY THE PETITIONER DATED 12.08.2014

RESPONDENTS' EXHIBITS: N I L

//TRUE COPY//

P.A. TO JUDGE

JV

ANIL K. NARENDRA, J.

W.P.(C). No.25994 of 2015

Dated this the 21st day of August, 2015

JUDGMENT

The petitioner's mother late Santha was employed under the 2nd respondent Company. She died on 05.01.2013 due to the injury sustained in a bus accident, which occurred on 02.01.2013. Though the petitioner made a claim for compensation under the State Insurance, the said claim was rejected by Ext.P6 order dated 21.06.2014. Against the said order, the petitioner filed Ext.P7 appeal before the 1st respondent. It is during the pendency of that appeal, the petitioner is before this Court in this writ petition seeking a writ of mandamus commanding the 1st respondent to consider Ext.P7 appeal filed by the petitioner within a time limit.

2. I heard the arguments of the learned counsel for the petitioner and also the learned Government Pleader appearing for the respondents.

3. Considering the fact that Ext.P7 appeal is pending consideration before the 1st respondent, this writ petition is disposed of directing the 1st respondent to consider and pass

appropriate orders on Ext.P7 appeal, as expeditiously as possible, at any rate, within a period of three months from the date of receipt of a certified copy of this judgment, with notice to the petitioner.

It is made clear that this Court has not expressed anything on the merits of the claim made by the petitioner in Ext.P7 and it is for the 1st respondent to consider and pass appropriate orders on the said appeal, strictly in accordance with law.

SD/-
ANIL K. NARENDRAN,
JUDGE

JV