

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

FRIDAY, THE 16TH DAY OF JANUARY 2015/26TH POUSHA, 1936

WP(C).No. 28477 of 2014 (H)

PETITIONER(S):

K.S.ANDREWS, AGED 63 YEARS,
KANNANTHARAYIL HOUSE, POURKKARA, EDAPPALLY COTTA (PO)
CHAVARA, KOLLAM, PIN

BY ADV. SMT.KEERTHI SOLOMON

RESPONDENT(S):

1. KERALA STATE ROAD TRANSPORT CORPORATION
REPRESENTED BY THE MANAGING DIRECTOR
TRANSPORT BHAVAN, FORT, THIRUVANANTHAPURAM-695 023.
2. PERSONAL OFFICER
PENSION SECTION, TRANSPORT BHAVAN
FORT, THIRUVANANTHAPURAM-695 023.

R BY SRI.M.GOPIKRISHNAN NAMBIAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
16-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 28477 of 2014 (H)

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1 - TRUE COPY OF THE CERTIFICATE ISSUED BY THE ASSISTANT TRANSPORT
OFFICER KARUNAGAPPALLY UNIT DATED 05-09-2014

EXT.P2 - TRUE COPY OF THE CERTIFICATE ISSUED BY THE MINISTRY OF PETROLEUM
NATIONAL GAS, GOVERNMENT OF INDIA

EXT.P3 - TRUE COPY OF THE LETTER NO.PA 13/3767/2010 DATED 4-11-2010

EXT.P4 - A TRUE COPY OF THE JUDGMENT OF THE HONOURABLE HIGH COURT OF
KERALA IN WPC NO.27183/2013 DATED 06-11-2013

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

W.P (C) NO.28477 OF 2014

Dated this the 16th day of January, 2015

J U D G M E N T

The entitlement of the petitioner for gratuity is already settled by a judicial order. Therefore the Government Order dated 4.4.2013 exempting the Kerala State Road Transport Corporation from paying Gratuity under the Payment of Gratuity Act does not apply to the petitioner.

2. I agree with the said view taken in W.P. (C) No.29203/2013. The writ petition is accordingly disposed of directing the respondents to pay the Death Cum Retirement Gratuity to the petitioner. The same shall be done within a period of four months from today.

The Writ Petition is disposed of.

Sd/-
V.CHITAMBARESH,
Judge.

nj.