

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

WEDNESDAY, THE 16TH DAY OF DECEMBER 2015/25TH AGRAHAYANA, 1937

W.P.(C).No.28565 of 2014 (U)

PETITIONER(S):-

P.PADMANABHA IYER, AGED 56, S/O.PARAMESWARA IYER,
T.C.20/3066, KRISHNANKOVIL STREET, KARAMANA,
THIRUVANANTHAPURAM
(RETIRED AS HEAD ACCOUNTANT,
SREE AYYAPPA COLLEGE, ERAMALLIKARA P.O.).

BY ADV. SRI.T.RAJASEKHARAN NAIR.

RESPONDENT(S):-

1. THE STATE OF KERALA,
REPRESENTED BY ITS SECRETARY,
DEPARTMENT OF COLLEGIATE EDUCATION, SECRETARIATE,
THIRUVANANTHAPURAM.
2. THE TRAVANCORE DEVASWOM BOARD,
REPRESENTED BY ITS SECRETARY,
OFFICE OF THE DEVASWOM BOARD, NANDANCODE,
THIRUVANANTHAPURAM - 695 001.
3. DEPUTY DIRECTOR OF COLLEGIATE EDUCATION,
KOTTAYAM - 686 001.
4. THE PRINCIPAL,
SREE AYYAPPA COLLEGE, ERAMALLIKARA P.O.,
THIRUVANANDOUR - 689 109.

R1 & R3 BY GOVERNMENT PLEADER SRI.T.R.RAJESH.
R2 BY STANDING COUNSEL SRI.M.V.S.NAMBOOTHIRI
R4 BY ADV. SRI.S.MUHAMMED HANEEFF.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
16-12-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No.28565 of 2014 (U)

APPENDIX

PETITIONER(S)' EXHIBITS:-

EXHIBIT P1: A TRUE PHOTOCOPY OF THE REPRESENTATIONS SUBMITTED
BY THE PETITIONER BEFORE THE 4TH RESPONDENT,
ALONG WITH ENGLISH TRANSLATION.

RESPONDENT(S)' EXHIBITS:-

NIL.

Vku/-

[true copy]

K. Vinod Chandran, J

W.P.(C).No.28565 of 2014--U

Dated this the 16th day of December, 2015

JUDGMENT

The petitioner, by the above writ petition, required for directions to the respondents to disburse the monthly pension, Group Insurance Scheme (GIS), Earned Leave surrender, Higher Grade Promotion benefits, Death-cum-Retirement Gratuity [DCRG], commuted value of pension, etc. and all other pensionary benefits due to the petitioner with interest thereon with immediate effect.

2. The learned counsel appearing for the 4th respondent, on instructions, submits that the petitioner, on retirement, had specifically instructed the Principal not to forward the papers for pension, since first he had to be granted the second higher grade promotion. The Principal submits that, the second higher grade promotion was sanctioned only in October, 2014. Immediately thereafter the

Principal had taken steps and the necessary documents for closure of Provident Fund has been forwarded to the Deputy Director of Education.

3. The learned Government Pleader, appearing for the 3rd respondent - Deputy Director of Education, also submits that the closure of Provident Fund account was received on 08.10.2015 and the service verification certificate was received on 09.12.2015. In the above circumstances, the Deputy Director of Education would take immediate steps to disburse the amounts within a period at least three months from the date of production of a certified copy of this judgment.

4. With respect to DCRG, the 4th respondent submits that the petitioner had worked in four colleges and the 4th respondent had sought for No Liability certificate [NLC] from all the said Colleges. Immediately on getting it, it is submitted that, the 4th respondent would send a NLC, if no liability is seen fixed on the petitioner. In such circumstance, the 4th respondent shall expedite the matter and send the

NLC, if no liability is mulcted on the petitioner; within a period of three months from the date of receipt of a certified copy of this judgment. The contentions of the petitioner with respect to other benefits are left open, if not already paid.

The writ petition is disposed of with the above observation.

Sd/-
K.Vinod Chandran
Judge.

vku/-

[true copy]