

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

THURSDAY, THE 8TH DAY OF OCTOBER 2015/16TH ASWINA, 1937

WP(C).No. 30582 of 2015 (W)

PETITIONERS:

1. HARIDASAN NAIR A.K., AGED 58 YEARS
S/O.KESAVAKURUP, ASSISTANT MANAGER, KSFE
VADASSERY BRANCH, RESIDING AT ATHIRA HOUSE
ELANJIMEL P.O., CHERIYANADU VIA, CHANGANNUR
ALAPPUZHA, PIN-689 511.
2. RAJAN BABU K., AGED 58 YEARS
DEPUTY MANAGER, KSFE MANNAR, RESIDING AT THANKAM NIVAS
ARUNOOTIMANGALAM, KALLUMULA P.O., MAVELIKARA-690 110.
3. R. MURALEEDHARANPILLA, AGED 58 YEARS
SPECIAL GRADE ASSISTANT, KSFE LTD., KATTANAM BRANCH
RESIDING AT KALEECKAL, KOIPALLIKARANMA
OLAKETTIAMPALAM P.O., PIN-690 510.
4. SUSEELA THOMAS, AGED 57 YEARS
W/O.VARGHESE T., DEPUTY MANAGER, KSFE LTD.
ALAPPUZHA-II BRANCH, RESIDING AT THAYIL HOUSE
VANDANAM P.O., ALAPPUZHA, PIN-688 005.
5. JAYAMOHAN NAIR
MANAGER, PARASSALA BRANCH, RESIDING AT MANASI
NILAMEL, NEYYATTINKARA-695 121, TRIVANDRUM.
6. LEKHA T.
DEPUTY MANAGER, KSFE LTD., VAZHUTHACAUD BRANCH
CENTRAL PLAZA BUILDING, 2ND FLOOR, VAZHUTHACAUD P.O.
THIRUVANANTHAPURAM-695 014.
7. GIRIJA DEVI K.
DEPUTY MANAGER, KSFE LTD., SHARMEES TOWER
SASTHAMANGALAM BRANCH, THIRUVANANTHAPURAM-695 010.
8. BABURAJ K.C.
ASSISTANT MANAGER, KSFE, FATHIMA BUILDING
WANDOOR, MALAPPURAM DISTRICT, PIN-679 328.

BY ADVS.SRI.P.SREEKUMAR
SRI.S.PRASANTH
SRI.SOORAJ T. ELENJICKAL
SRI.K.NANDAKUMAR
SMT.V.A.HARITHA
SMT.MARY RESHMA GEORGE
SMT.P.M.MAZNA MANSOOR

[CONTD....]

RESPONDENTS:

1. THE STATE OF KERALA
REPRESENTED BY ITS SECRETARY TO GOVERNMENT
TAXES DEPARTMENT, GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM-695 001.
2. THE KERALA STATE FINANCIAL ENTERPRISES LTD.
REPRESENTED BY ITS MANAGING DIRECTOR, HEAD OFFICE
BHADRATHA, MUSEUM ROAD, TRISSUR-680 020.
3. MANAGING DIRECTOR
THE KERALA STATE FINANCIAL ENTERPRISES LTD.
HEAD OFFICE, BHADRATHA, MUSEUM ROAD
THRISSUR-680 020.

BY SRI.M.GOPIKRISHNAN NAMBIAR
BY GOVERNMENT PLEADER SMT. M.J. RAJASREE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
08-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONERS' EXHIBITS:

- EXHIBIT P1 - COPY OF THE GO(P) NO.20/2013/FIN DATED 07-01-2013.
- EXHIBIT P2 - COPY OF THE PETITION DATED 01-08-2013 SUBMITTED BY THE EMPLOYEES ORGANIZATION.
- EXHIBIT P3 - COPY OF THE REPLY OBTAINED UNDER THE RIGHT TO INFORMATION ACT ON 02-05-2013.
- EXHIBIT P4 - COPY OF THE COMMUNICATION DATED 25-07-2014 ISSUED BY THE 4TH RESPONDENT.
- EXHIBIT P5 - COPY OF THE G.O. RT NO.340/2015/TD DATED 20-05-2015 ISSUED BY THE 1ST RESPONDENT.

RESPONDENTS' EXHIBITS:-NIL

//TRUE COPY//

P.A. TO JUDGE

sp

K. VINOD CHANDRAN, J.

W.P(C). No.30582 of 2015

Dated this the 8th day of October, 2015.

JUDGMENT

The petitioners are the employees of the 2nd respondent Company and are due to retire from service in November, 2015, if the retirement age is 58 as now fixed. By a judgment dated 28.07.2015 passed by this Court in WP(C) No.22188 of 2015, the employees similar to the petitioners, who were to be retired at the age of 58, were permitted continuance till the Government takes a decision on the question of revision of the date of superannuation, based on the directions in WP(C) No.16562 of 2014. The Government is yet to take a decision and in such circumstance, the very same directions shall apply to the petitioners herein. The petitioners shall also be continued with 50% of salary as subsistence allowance till a decision is taken by the Government or the petitioners attain the age of 60 years,

whichever is earlier. The question of adjustment of payments made to the petitioners as per the directions above, shall also be left to the Government.

The writ petition is disposed of.

Sd/-

**K. VINOD CHANDRAN,
JUDGE.**

sp/08/10/2015

//True Copy//

P.A. to Judge.