

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 13TH DAY OF JANUARY 2015/23RD POUSHA, 1936

WP(C).No. 33629 of 2014 (C)

PETITIONER:

**SUSY MATHEW AGED 61 YEARS
W/O.C.I.DAVY, CHEROOKKARAN HOUSE, VILLA NO. 21
SANTHOSH NAGAR, MANNUTHY, THRISSUR - 680 651.**

**BY ADVS.SRI.P.B.SAHASRANAMAN
SRI.K.JAGADEESH**

RESPONDENT(S):

- 1. STATE OF KERALA
REPRESENTED BY ITS SECRETARY
AGRICULTURAL DEPARTMENT, SECRETARIAT
THIRUVANANTHAPURAM - 695 001.**
- 2. KERALA AGRICULTURAL UNIVERSITY
REPRESENTED BY ITS REGISTRAR, VELLANIKKARA
THRISSUR - 686 656.**
- 3. THE COMPTROLLER
KERALA AGRICULTURAL UNIVERSITY, MAIN CAMPUS
VELLANIKKARA, THRISSUR - 686 656.**

**BY SENIOR GOVERNMENT PLEADER SRI. V.VIJULAL
BY SRI.BABU JOSEPH KURUVATHAZHA,SC,KERALA AGRICULTURAL
UNIVERSITY**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
13-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS :

EXHIBIT P1: TRUE PHOTOSTAT COPY OF THE LETTER ISSUED BY THE 3RD RESPONDENT TO THE PETITIONER, DATED 03/05/2014.

EXHIBIT P2: TRUE PHOTOSTAT COPY OF THE PENSION REVISION ORDER, DATED 22/04/2014 OF THE 3RD RESPONDENT ISSUED TO THE PETITIONER.

EXHIBIT P3: TRUE PHOTOSTAT COPY OF THE STATEMENT OF ARREARS ISSUED BY THE 3RD RESPONDENT TO THE PETITIONER FOR THE PERIOD FROM 01/07/2009 TO 30/04/2014.

EXHIBIT P4: TRUE PHOTOSTAT COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE 3RD RESPONDENT, DATED 04/09/2014.

RESPONDENT(S)' EXHIBITS : NIL

// TRUE COPY\\

P.A. TO JUDGE

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A.MUHAMED MUSTAQUE, J.

W.P.(C) No.33629 of 2014

Dated this the 13th day of January, 2015

JUDGMENT

The petitioner's pensionary benefits was revised. Thereafter, the petitioner submits that arrears in the pensionary benefits not paid. The petitioner submits that the amount is calculated at Rs.1,73,962/-. The petitioner relies on Ext.P3. Ext.P3 is the statement issued by the University. The petitioner made a request to release the amount as per Ext.P4. However, on account of non-release of the amount, the petitioner has approached this Court.

2. The learned Standing Counsel for the University submits that on account of the financial constraints of the University, the University is unable to pay the arrears.

Considering the facts and circumstances, I am of the view that the arrears shall be paid either in lump sum or

instalment within a period of four months. If the University offers to pay the instalment, the first instalment shall be paid on or before 1.2.2015. If the University chooses to pay the amount in lump sum, the entire amount shall be paid on or before 31.5.2015. If the University fails to pay the amount as indicated above, the above amount will carry 6% interest after 31.5.2015.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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