

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

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

WP(C) .No. 34704 of 2014 (K)  
-----

PETITIONER(S) :  
-----

M.P.VELAYUDHAN AGED 59 YEARS  
S/O.NEELI, (RETIRED WATCHMAN, GURUVAYOOR DEVASWOM)  
MAZHUANCHERYPADI HOUSE, EDAYUR P.O., VIA. VALANCHERY  
MALAPPURAM DISTRICT, PIN 676554.

BY ADV. SMT.ANU SIVARAMAN

RESPONDENT(S) :  
-----

1. GURUVAYOOR DEVASWOM  
REPRESENTED BY ITS ADMINISTRATOR, GURUVAYOOR  
PIN 680101.

2. ADMINISTRATOR  
GURUVAYOOR DEVASWOM, GURUVAYOOR, PIN 680101.

3. DEPUTY DIRECTOR OF LOCAL FUND AUDIT (GURUVAYOOR  
DEVASWOM)  
OFFICE OF THE LOCAL FUND AUDIT, DEVASWOM BUILDINGS  
GURUVAYOOR.

R1,R2 BY ADV. SRI.V.KRISHNA MENON  
R BY GOVERNMENT PLEADER: SRI VIJULAL V SR.

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

APPENDIX

PETITIONER(S) ' EXHIBITS :

-----

EXHIBIT-P1: TRUE COPY OF PROCEEDINGS REF:B1-6301/85 DATED 23.9.1985 OF 2ND RESPONDENT.

EXHIBIT-P2: TRUE COPY OF THE PROCEEDINGS NO.A3-2318/2002 DATED 9.10.02.

EXHIBIT-P3: TRUE COPY OF THE JUDGMENT DATED 8.7.2008 IN W.P.(C) 4408/08 AND 8159/08 OF THIS HONOURABLE COURT.

EXHIBIT-P4: TRUE COPY OF THE REPRESENTATION DATED 28.10.2008 SUBMITTED BY THE PETITIONER TO THE 2ND RESPONDENT.

EXHIBIT-P5: TRUE COPY OF THE DECISION NO.170/DATED 25.2.2009 PASSED BY THE GURUVAYOOR DEVASWOM COMMITTEE.

EXHIBIT-P6: TRUE COPY OF THE ORDER NO.19/2013/G.D.C. DATED 27.8.2013 ISSUED THE GURUVAYOOR DEVASWOM COMMISSIONER.

EXHIBIT-P7: TRUE COPY OF THE JUDGMENT DATED 27.10.2014 IN W.P.(C) NO.26031/2014 OF THIS HONOURABLE COURT.

RESPONDENT(S) ' EXHIBITS:NIL

True Copy/

P A to Judge

**A.MUHAMED MUSTAQUE, J.**  
=====

**W.P(C).No.34704 of 2014**  
=====

**Dated this the 16<sup>th</sup> day of January, 2015**

**JUDGMENT**

Petitioner approached this Court feeling aggrieved by non-granting of pensionary benefits. Petitioner was retired as Watchman from the first respondent-Guruvayoor Devaswom Board on 30.11.2012. Petitioner submits that he is entitled to get pensionary benefits in terms of Exts.P5 and P6, resolutions. This Court in Exts.P3 and P7, judgments stated that similarly situated persons are entitled for pensionary benefits by reckoning their NMR service.

2. In view of the above, there shall be a direction to the first respondent to re-calculate the pensionary benefits of the petitioner in the light of Exts.P3 and P7, judgments. Needful shall be done to re-fix the pensionary benefits and pay arrears within a period of two months from the date of receipt of a copy of this judgment.

The Writ Petition is disposed of.

Sd/-

**A.MUHAMED MUSTAQUE, JUDGE.**

Sbna/16/01/15