

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.HARILAL

FRIDAY, THE 11TH DAY OF DECEMBER 2015/20TH AGRAHAYANA, 1937

WP(C).No. 37575 of 2015 (V)

PETITIONER(S):

**S. RAJAMMA, (W/O. LATE J. GABRIEL,
GUARD, KSRTC, NEDUMANGADU DEPOT.,
EXPIRED ON 13/10/1992), G.R. NIVAS,
KUZHIVILA, IRINCHAYAM P.O.,
NEDUMANGADU, PIN-695 561.**

BY ADV. SRI.K.P.RAJEEVAN.

RESPONDENT(S):

- 1. KERALA STATE ROAD TRANSPORT CORPORATION,
REPRESENTED BY ITS MANAGING DIRECTOR,
TRANSPORT BHAVAN, FORT, THIRUVANANTHAPURAM-695 023.**
- 2. ASSISTANT TRANSPORT OFFICER,
KSRTC, NEDUMANGADU DEPOT,
NEDUMANGADU, THIRUVANANTHAPURAM-695 561.**

BY ADV. SRI.M.GOPIKRISHNAN NAMBIAR, SC.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 11-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

WP(C).No. 37575 of 2015 (V)

APPENDIX

PETITIONER'S EXHIBITS:-

- EXT.P1 COPY OF THE HEIR SHIP CERTIFICATE DATED 02/02/1993
ISSUED BY THE TAHSILDAR, NEDUMANGADU.
- EXT.P2 COPY OF THE GOVERNMENT ORDER NO.GO(P) NO.427/2014/FIN
DATED 30/09/2014.
- EXT.P3 COPY OF THE REPRESENTATION DATED 28/09/2015 WITH
APPLICATION FOR FAMILY PENSION IN THE PRESCRIBED
FORM WITH ALL RELEVANT DOCUMENTS.

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

K. HARILAL, J.

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W.P. (C) No.37575 of 2015

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Dated this the 11th day of December, 2015

J U D G M E N T

The petitioner is the wife of the late J.Gabriel, who worked as a Guard in the service of the Kerala State Road Transport Corporation [KSRTC], Nedumangadu Depot. According to the petitioner, the said Gabriel entered into the service of the KSRTC, selected through Employment Exchange, on 07.07.1981, as a driver and worked up to 11.10.1982. While working so, he was selected as Guard through PSC and he joined on 12.10.1982, as Guard and he continued in duty and he expired, while in the service, on 13.10.1992. Before entering in the service of the KSRTC, he was working in the military service and was receiving military pension.

-: 2 :-

The petitioner is receiving family pension from military, considering petitioner's husband's earlier service. The petitioner claims that in the light of Ext.P2 Government Order, she is entitled to get family pension from the KSRTC also notwithstanding the receipt of pension from military service. Aggrieved by the denial of family pension, by the 1st respondent, the petitioner preferred Ext.P3 representation, before the 1st respondent. But, the same has not been considered so far, despite the long lapse of time. This is the grievance projected in this Writ Petition.

2. Heard the learned counsel for the petitioner and learned Standing Counsel appearing for the respondent.

3. Learned counsel for the petitioner confines his arguments to the issuance of a direction to the 1st

-: 3 :-

respondent to consider Ext.P3 representation. Having regard to the grievance projected in this Writ Petition, the 1st respondent is directed to consider Ext.P3 representation, in the light of Ext.P2 Government Order, and pass orders at the earliest, at any rate, within a period of two months from the date of receipt of the copy of this judgment, after affording an opportunity of being heard, to the petitioner.

This writ petition is disposed of accordingly.

Sd/-

**K. HARILAL,
JUDGE**

DST

//True copy//

P.A. To Judge