

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE V.G.ARUN

MONDAY, THE 28TH DAY OF MARCH 2022 / 7TH CHAITHRA, 1944

WP(C) NO. 8082 OF 2022

PETITIONER/S:

T.V. MADHAVIKUTTY,
AGED 85 YEARS
W/O. LATE K SAKARAN NAMBIAR, PUTHEN VEEDU, MELUR P.O.,
PALAYAD, THALASSERY, KANNUR DISTRICT 670 661.
BY ADVS.
ALIAS M.CHERIAN
AJAI ALIAS CHALAPPURAM
K.M.RAPHY
BRISTO S PARIYARAM
NEENU ANNA BABU

RESPONDENT/S:

- 1 THE SOUTHERN RAILWAY BOARD,
SOUTHERN RAILWAY, C.P.O. CHENNAI CITY NORTH, TONDIARPET
FORT ST. GEORGE, CHENNAI, 600 003, REPRESENTED BY ITS
CHAIRMAN.
- 2 THE DIVIAONAL RAILWAY MANAGER,
SOUTHERN RAILWAY, DIVISIONAL OFFICE, OLAVAKODE,
PALAKKAD DISTRICT 678 002.
- 3 THE SENIOR DIVISIONAL PERSONNEL OFFICER,
SOUTHERN RAILWAY, DIVISIONAL OFFICE, OLAVAKODE,
PALAKKAD DISTRICT 678 002.

OTHER PRESENT:

ASGI S.MANU

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
28.03.2022, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

Dated this the 28th day of March, 2022

The petitioner's husband, late K.Sankaran Nambiar was an employee of the Southern Railway. He retired from service and was drawing pension as evidenced by Ext.P1. While so, Sankaran Nambiar died on 04.01.2004 and the petitioner being his widow, family pension is being disbursed to her. The petitioner crossed 80 years in the year 2016 and claim that, as per the 7th Central Pay Commission recommendations, she is entitled to get higher percentage of pension after attaining 80 years. Highlighting this aspect, the petitioner had submitted Ext.P2 representation and was directed to produce certain documents. The relevant documents were produced under Ext.P4 letter, but the matter did not progress thereafter. Hence, the petitioner submitted Ext.P6 representation. The limited relief sought is for a direction to consider the representation expeditiously.

2. The learned ASG appearing for the respondents

sought time for getting instructions in the matter.

Considering the limited relief sought and the advanced age of the petitioner, the writ petition is disposed of, directing the second respondent to consider Ext.P6 and take a decision thereon at the earliest and at any rate within three months of receipt of a copy of this judgment.

**Sd/-
V . G . ARUN
JUDGE**

RK

APPENDIX OF WP(C) 8082/2022

PETITIONER EXHIBITS

- | | |
|-------------------|--|
| Exhibit P1 | TRUE COPY OF RELEVANT PAGE OF PENSION
PAYMENT ORDER NO . SP/PSB/3914/RLYS/PGT
OF K. SANKARAN NAMBIAR. |
| Exhibit P2 | TRUE COPY OF REPRESENTATION DATED NIL
SUBMITTED BY PETITIONER TO 2ND
RESPONDENT . |
| Exhibit P3 | TRUE COPY OF LETTER DATED 11/03/2021
FROM 3RD RESPONDENT TO THE PETITIONER. |
| Exhibit P4 | TRUE COPY OF COVERING LETTER DATED
20/03/2021 ISSUED BY THE PETITIONER TO
THE 2ND RESPONDENT. |
| Exhibit P5 | TRUE COPY OF SECONDARY SCHOOL LEAVING
CERTIFICATE NO. 46043E DATED 14/01/1955
OF THE PETITIONER. |
| Exhibit P6 | TRUE COPY OF LETTER DATED 07/04/2021
SUBMITTED BY THE PETITIONER TO 3RD
RESPONDENT. |
| Exhibit P7 | TRUE COPY OF REPRESENTATION DATED
23/10/2021 SUBMITTED BY THE PETITIONER
TO 3RD RESPONDENT. |
| Exhibit P8 | TRUE COPY OF LAWYER'S NOTICE DATED
16/07/2021 TO THE 3RD RESPONDENT. |