



2025:KER:29827

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE D. K. SINGH

MONDAY, THE 7TH DAY OF APRIL 2025 / 17TH CHAITHRA, 1947

WP(C) NO. 11049 OF 2024

PETITIONERS:

- 1 ANILAN P. K.,
AGED 58 YEARS, S/O. KARUNAKARAN,
PATTATHIPARAMBIL HOUSE, P.O.POOLANI,
MELOOR CHALAKUDY, THRISSUR DISTRICT,
PIN - 680311.
- 2 K. C. HARIDAS,
AGED 58 YEARS, S/O. CHATHUKUTTY,
KOLANENKARA HOUSE, KUZHIKKATTUSSERY.P.O.,
THRISSUR, PIN - 680697.
- 3 ANILKUMAR T. G.,
AGED 58 YEARS, S/O. P. N. GOVINDAN,
THARAYIL HOUSE, MOOTHAKUNNAM P. O.,
ERNAKULAM DISTRICT, PIN - 683516.
- 4 RAVI V. V.,
AGED 58 YEARS, S/O. VELAYUDHAN,
PAYYAPPILLY HOUSE, IRINJALAKUDA P. O.,
THRISSUR DISTRICT, PIN - 680121.

BY ADVS.

V. M. KRISHNAKUMAR
P. R. REENA

RESPONDENTS:

- 1 STATE OF KERALA,
REPRESENTED BY SECRETARY,
DEPARTMENT OF ANIMAL HUSBANDRY,
SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695001.



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2 KERALA FEEDS LIMITED,
HEAD OFFICE, KALLETUMKARA P.O.,
THRISSUR DISTRICT,
REP. BY ITS MANAGING DIRECTOR., PIN - 680683

BY ADVS.

ABEL TOM BENNY
A. K. PREETHA
D. PREM KAMATH(K/1285/1998)
TOM THOMAS (KAKKUZHIYIL) (K/000821/2008)
PRAISY THOMAS (CG/249/2020)
GENTLE C. D. (K/62/2022)
AMRUTHA SELVAM(K/001249/2023)
C. ANIL KUMAR
DEVIKA MOHAN
RESHMA R. KRISHNAN

BY ADV.

PARVATHY KOTTOL - GP
D. PREM KAMMATH - SC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 07.04.2025, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:



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D. K. SINGH, J.

W.P.(C) No. 11049 of 2024

Dated this the 7th day of April, 2025

JUDGMENT

1. The petitioners have retired from the services of the Kerala Feeds Ltd., a State Government undertaking on attaining the retirement age, i.e. 58 years, as per the relevant service rules. The petitioners have filed this writ petition seeking enhancement of retirement age from 58 years to 60 years. This Court, vide the interim order dated 05.04.2024 directed the Kerala Feeds Ltd. to allow the petitioner to continue on the post where they were working till final decision is taken on the Board Resolution of the 2nd respondent, Kerala Feeds Ltd., whereby the resolution has been passed by the Board of Directors of the 2nd respondent for enhancing the age of retirement of its employees from 58 years to 60 years subject to the confirmation/approval by the State Government.

2. Ms. Parvathy Kottol, the learned Government Pleader, vehemently argued that the petitioners do not have any legal or fundamental right to continue in their employment beyond their age of retirement as prescribed under the rules, i.e. 58 years and,



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therefore, the present writ petition is not maintainable. The learned Government Pleader does not dispute the fact that the Government has constituted an expert committee to examine the individual case of the Public Sector Undertakings and Corporations for enhancement of the retirement age of their employees, if such a request is received from the Public Sector Undertakings or Corporations.

3. As the Government itself has taken a decision to examine the individual case of the Public Sector Undertakings/Corporations for enhancement of the retirement age of their employees, I do not find much substance in the submission of the learned Government Pleader that the writ petition could not be maintainable when the Board of Directors of the 2nd respondent have passed the resolution and sent the resolution with request for approval to the Government which is awaiting response from the Government.

4. It is true that the petitioners do not have any legal or fundamental right to continue in the employment beyond the age of superannuation prescribed under the relevant service rules which is 58 years unless the rules get amended as per the decision to be taken by the State Government on the resolution passed by the 2nd respondent for the said purpose. As of now, as the things stand, the



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age of retirement of the petitioners is only 58 years and, therefore, their continuation beyond 58 years is totally illegal. Thus, the interim order passed on 05.04.2024 is vacated. The writ petition is hereby disposed of with direction to the State Government to take a decision on Exhibit P-4 communication of the 2nd respondent whereby Exhibit P-3 resolution has been forwarded to the State Government for approval within a period of six weeks from today after the matter is examined by the expert committee which has been constituted by the State Government for the said purpose. The 2nd respondent may be heard before a final decision is taken regarding its financial health.

Sd/-

D. K. SINGH
JUDGE

Svn



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APPENDIX OF WP(C) 11049/2024

PETITIONER EXHIBITS

- EXHIBIT P1 TRUE COPY OF THE JUDGMENT IN WP(C) .NO.2357 OF
2024 DATED 28.02.2024
- EXHIBIT P2 TRUE COPY OF THE PAY SLIP OF 1ST PETITIONER
FOR THE MONTH OF FEBRUARY 2024
- EXHIBIT P2 (A) TRUE COPY OF THE PAY SLIP OF 2ND PETITIONER
FOR THE MONTH OF FEBRUARY 2024
- EXHIBIT P2 (B) TRUE COPY OF THE PAY SLIP OF 3RD PETITIONER
FOR THE MONTH OF FEBRUARY 2024
- EXHIBIT P2 (C) TRUE COPY OF THE PAY SLIP OF 4TH PETITIONER
FOR THE MONTH OF FEBRUARY 2024
- EXHIBIT P3 TRUE COPY OF THE RESOLUTION OF BOARD OF
DIRECTORS OF 2ND RESPONDENT DATED 14.01.2022
- EXHIBIT P4 TRUE COPY OF THE REQUEST MADE BY THE 2ND
RESPONDENT MANAGING DIRECTOR TO SECRETARY OF
GOVERNMENT DATED 05.02.2022
- EXHIBIT P5 TRUE COPY OF THE RELEVANT PAGE OF THE ENTRIES
IN THE FILE F2/26/2022-AH

RESPONDENT ANNEXURES

- ANNEXURE R3(1) A TRUE COPY OF THE JUDGMENT DATED 07.02.2025
IN WA 1445 OF 2024 BY THIS HONOURABLE COURT