

Sree Usha.N vs State of Kerala

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Court : Kerala

Decided On : Jul-30-2021

Judge : Honourable Mr. Justice Amit Rawal

Appeal No. : WP(C)/11563/2021

Appellant : Sree Usha.N

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE AMIT RAWAL FRIDAY,
THE 30TH DAY OF JULY 2021 / 8TH SRAVANA, 1943 WP(C) NO. 7613
OF 2021 PETITIONER/S: P.G.PRASADKUMAR AGED 61 YEARS S/O.
M.K. GOPALAKRISHNAN NAIR, ASSISTANT PROFESSOR (RETD),
DEPARTMENT OF PHYSICS, SVR NSS COLLEGE, VAZHOOR,
KOTTAYAM, RESIDING AT PUSHPA VILASOM, PAZHAVANGADI P.O,
RANNI, PATHANAMTHITTA - 689573.

BY ADVS. S.MUHAMMED HANEEFF SRI.M.H.ASIF ALI
RESPONDENT/S: 1 STATE OF KERALA REPRESENTED BY ITS
SECRETARY TO THE GOVERNMENT, HIGHER EDUCATION

DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM - 695001.
2 DIRECTOR OF COLLEGIATE EDUCATION 6TH FLOOR, VIKAS BHAVAN, VIKAS BHAVAN P.O, THIRUVANANTHAPURAM - 695033. 3 DEPUTY DIRECTORATE OF COLLEGIATE EDUCATION VAYASKARAKUNNU, NEAR FIRE STATION, KOTTAYAM - 686001. 4 ACCOUNTANT GENERAL (A AND E) OFFICE OF THE PRINCIPAL ACCOUNTANT GENERAL (A AND E), AUDIT BHAVAN, M.G. ROAD, THIRUVANANTHAPURAM - 695001.

5 THE SECRETARY N.S.S COLLEGES CENTRAL COMMITTEE, PERUNNA, CHANGANASSERY, KOTTAYAM - 686002. BY ADV GOVERNMENT PLEADER OTHER PRESENT: SR GP SRI BIMAL K NATH THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 30.07.2021, ALONG WITH WP(C).11563/2021, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE AMIT RAWAL FRIDAY, THE 30TH DAY OF JULY 2021 / 8TH SRAVANA, 1943 WP(C) NO. 11563 OF 2021 PETITIONER/S: SREE USHA.N AGED 61 YEARS W/O K. SATHISHKUMAR, ASSISTANT PROFESSOR (RETD) ST. THOMAS COLLEGE, RANNI, RESIDING AT PUTHENPURAYIL HOUSE, PUTHENKAVU P.O.ANGADIKKAL, CHENGANNUR, PATHANAMTHITTA-689 123. BY ADVS. S.MUHAMMED HANEEFF M.H.ASIF ALI RESPONDENT/S: 1 STATE OF KERALA REP BY ITS SECRETARY TO THE GOVERNMENT, HIGHER EDUCATION DEPARTMENT SECRETARIAT , THIRUVANANTHAPURAM-695 001. 2 DIRECTOR OF COLLEGIATE EDUCATION, 6TH FLOOR, VIKAS BHAVAN, VIKAS BHAVAN P.O. THIRUVANANTHAPURAM-695 033. 3 DEPUTY DIRECTORATE OF COLLEGIATE EDUCATION, VAYASKARARAKUNNU, NEAR FIRE STATION, KOTTAYAM-686 001. 4 ACCOUNTANT GENERAL A & E), OFFICE OF THE PRINCIPAL ACCOUNTANT GENERAL(A AND E) AUDIT BHAVAN, M.G ROAD,

THIRUVANANTHAPURAM-695 001.

5 THE PRINCIPAL, ST. THOMAS COLLEGE, RANNI, PAZHAVANMGADI P.O.RANNI PATHANAMTHITTA-689 673. THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 30.07.2021, ALONG WITH WP(C).7613/2021, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

[WP(C) Nos.7613/2021, 11563/2021] The matter in controversy is covered by the judgment of this Court in W.P(C).1033/2020 and connected cases dated 18.3.2021, whereby the benefit of broken service has been accorded to the petitioners therein. These writ petitions are allowed in terms of the aforementioned judgment with a further direction to the respondents to accord the pensionary benefits the petitioners are entitled to, in accordance with law. Let this exercise be undertaken within a period of two months from the date of receipt of a copy of this judgment. Sd/- AMIT RAWAL JUDGE

nak APPENDIX OF WP(C) 11563/2021
PETITIONER EXHIBITS Exhibit P1 A TRUE COPY OF THE VERIFICATION REPORT OF THE PETITIONER DATED 14.8.2017 ISSUED BY THE 4TH RESPONDENT Exhibit P2 A TRUE COPY OF THE GRATUITY PAYMENT

ORDER DATED 14.8.2017 ISSUED BY THE 4TH

RESPONDENT Exhibit P3 TRUE COPY OF GO(P) NO 21/2018/FIN DATED 16.2.2018 ISSUED BY THE 1ST RESPONDENT Exhibit P4 A TRUE COPY OF GO(P) NO 27/2018/FIN 21.3.2018 ISSUED BY THE 1ST RESPONDENT

Exhibit P5 A TYPED COPY OF THE GOVERNMENT ORDER

BEARING G O (P) NO 366/2009/FIND DATED 28.8.2009 Exhibit P6 A TRUE COPY OF THE JUDGMENT DATED 18.3.2021 IN WPC NO 1033/2021 ON THE FILE OF THIS HONBLE COURT Exhibit P7 A TRUE COPY OF THE REPRESENTATION DATED 30.5.2018 SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT APPENDIX OF WP(C) 7613/2021

PETITIONER EXHIBITS EXHIBIT P1 A TRUE COPY OF THE COMMUNICATION BEARING NO.D1/1508/2017/PEN DT 19.05.2017 ISSUED BY THE 3RD RESPONDENT EXHIBIT P2 A TRUE COPY OF THE COMMUNICATION BEARING NO.A2/36653/2017/COL.EDN DT 28.10.2017 EXHIBIT P3 A TRUE COPY OF THE GO(P) NO.1851/99/FIN DT 18.09.1999 ISSUED BY THE 1ST RESPONDENT EXHIBIT P4 A TRUE COPY OF THE REPRESENTATION DT 03.03.2021 SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT

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