

S.Surendran Vs. State of Kerala

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SooperKanoon Citation : sooperkanoon.com/50737

Court : Kerala

Decided On : Apr-08-2015

Judge : Honourable Mr. Justice a.Muhamed Mustaque

Appellant : S.Surendran

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE WEDNESDAY, THE 8TH DAY OF APRIL 2015 18TH CHAITHRA, 1937 WP(C).No. 4055 of 2015 (F)

----- PETITIONER(S): ----- 1. S.SURENDRAN AGED 62 YEARS S/O.SANKARAN, KUTTANASSERIL HOUSE SOUTH PARAVOOR P.O - 682 307.

2. E.N.VENU AGED 62 YEARS S/O. NARAYAN, EDIVETTIPARAMBIL HOUSE, NERAR BINNY ROAD PALLURUTHY, KOCHI - 682 006.

3. N.S.BHASI AGED 58 YEARS S/O. SUKUMARAN, KALAKKANCHERY HOUSE, P.T.ROAD VADUTHALA, KOCHI - 682 023.

4. V.J.THOMAS AGED 61 YEARS S/O. C.J.JOSEPH, VATTAPPARAMBIL, NJARAKKAL - 682 505.

5. RAJENDRAPRASAD V.N AGED60YEARS S/O. NARAYANAN, VADAKKANEDATH HOUSE, VENNALA P.O. COCHIN - 28.
6. M.T.THOMAS S/O. M.B.THOMAS, MALIYEKKAL HOUSE MALIPPURAM P.O. - 682 511.
7. P.R.AMSAPPAN AGED61YEARS S/O. P.K.RAGHAVAN, PANDARAPARAMBIL HOUSE MUPPATHADOM P.O., ALUVA - 682 110.
8. C.T.JOSEPH AGED58YEARS S/O. THOMAS, CHETTIPARABIL, MALIPPURAM P.O. KOCHI, VYPPEEN - 682 511.
9. G.RAJAN AGED60YEARS S/O. GOPALAN, MANAPPALLYSSRIL HOUSE, AVALOOKUNNU P.O. ALAPPUZHA - 680 006.
10. C.S.JAGADEESAN AGED62YEARS S/O. SUBHRAMANYAN, CHAMBUSSERIL, MALIANKARA P.O. MALIANKARA - 683 516.
11. AMBUJAKSHAN P AGED59YEARS S/O. PADMANABHAN, NADEEPARAMBIL, PALLIPPURAM P.O. CHERTHALA - 688 541. WP(C).No. 4055 of 2015 (F) -----
12. A.B.SHAJI AGED62YEARS S/O. A.A.BAVA, TELECOM STAFF QUARTERS, NO.C18PANAMPILLY NAGAR, KOCHI.
13. CLEATUS A AGED58YEARS S/O. ANTONY, PULIMOOTIL HOUSE, H.NO.12/1114 PANAYAPPALLY, KOCHI - 682 002.
14. M.K.PONNAPPAN AGED59YEARS S/O. P.K.RAMAN, MULLANKUZHI HOUSE, NETTOOR P.O. MARADU.
15. M.K.BALACHANDRAN AGED62YEARS S/O. KOCHAL, KALATHIL HOUSE, PANAMBUKAD VALLARPADAM P.O. - 682 504.
16. M.R.BABU AGED60YEARS S/O. RAJAN, MARANGATTUTHARA HOUSE, NARAKAL P.O. ERNAKULAM DISTRICT.

17. M.T.MATHEW AGED63YEARS S/O. V.THOMAS, MANGALATH KARI, THANNEERMUKKAM P.O. CHERTHALA.
18. M.S.SHAJI AGED59YEARS S/O. SUBRAMANIAN, MULEKATTU HOUSE, MALIANKARA N. PARUR VIA - 683 516.
19. M.J.BERTTY AGED58YEARS S/O. M.D.JOSEPH, MUTTATHIPARAMBIL HOUSE NEAR NAVY NAGAR, MUNDAMVELI P.O., KOCHI.
20. N.S.PRATHAPAN AGED61YEARS S/O. T.K.SUKUMARAN, THUNDIYIL HOUSE, THAREBHAGHAM PALLURUTHY, KOCHI - 682 006.
21. P.N.SUBRAMANIAN AGED58YEARS S/O. NARAYANAN, PANDARAPARAMBIL HOUSE, MULUVUKAD P.O. BOLGHATTY - 682 504.
22. M.V.MANOJ AGED60YEARS S/O. M.K.VELAPPAN, VYSHKH, POOTHOTTA P.O - 682 307.
23. A.C.ANTONY AGED64YEARS S/O.V.O.SAVIOUR, ASHARIPARMABIL HOUSE PANGADU P.O - 682 513.
24. T.A.JACOB AGED59YEARS S/O. ANTONY, THOTTAKATH HOUSE, OCHANATHURUTH P.O. VYPEEN25 K.B.SEBASTIAN AGED63YEARS S/O. K.P.BENJAMAN, KALARICKAL HOUSE, VYPIN KOCHI - 682510. WP(C).No. 4055 of 2015 (F) -----
26. K.K.PUSHPAN AGED61YEARS S/O. K.K.KODIYAN, KALATHARA HOUSE, EDAVANAKAD P.O. ERNAKULAM - 682 502.
27. K.P.RAMESAN AGED60YEARS S/O. PADMANABHAN, KOCHAMPARAMBU, PONGA P.O. NEDUMUDY, ALAPPUZHA - 688 503.
28. V.K.PONNAPPAN AGED62YEARS S/O. KRISHNAN, MADATHARA, KANNADY EAST PULINCUNNU P.O., ALAPPUZHA - 688 504.
29. K.P.PANKAJAKSHAN AGED60YEARS S/O. A.PARAMESWARAN, KAREETHARA, P.O.AROOR ALAPPUZHA, CHERTHALA.

30. MOHANDAS M.M AGED59YEARS S/O. GOVINDAN, MANNASSERIL HOUSE, CHERUKARA P.O. KUTTANADU, ALAPPUZHA - 688 506.
31. T.N.SARATH CHANDRAGOSH AGED60YEARS S/O. NARAYANAN, THEYVELIKKAKATH HOUSE MARADU P.O. - 682 304.
32. P.G.TOMY AGED58YEARS S/O. GEORGE, PULIKKAL HOUSE, MALIANKARA P.O. - 683 516 33. MAHESWARI AMMA K AGED58YEARS W/O. SANKARAPILLAI N, SRISAILOM PONNURUNNI NURSERY SCHOOL ROAD, VYTTLA KOCHI - 682 019.
34. K.VASU AGED60YEARS S/O. KUTTY, THURUTHIKUZHIYIL HOUSE, T.V.PURAM P.O. VAIKOM, MOOTHEDATHKAVU - 686 606 35. S.RAMAKRISHNA PILLAI AGED61YEARS S/O. SREEDHARA PANICKER, LAKSHMI VILASOM INCHIKKAL ROAD, NEAR INCHIKKAL TEMPLE, MARADU ERNAKULAM - 682 304.
36. B.E.VARGHESE AGED58YEARS S/O. ESTHAPPAN, BOATTUKADAVIL UDAYAMPEROOR P.O - 682 307 37. M.A.VARGHESE AGED60YEARS S/O. AUGUSTINE, MADATHIPARAMBIL, CHENIYAKADAVU KADAMAKKUDI P.O., KOCHI - 682 027.
38. C.G.CLEETUS AGED63YEARS S/O. GEORGE C.M, CHOTHANATTU HOUSE, MARTINPURAM MARADU - 682 304. WP(C).No. 4055 of 2015 (F) ----- 39. P.V.PANKAJAKSHAN AGED62YEARS S/O. VELU, PARAKKAL HOUSE, SHANMUGHAPURAM PACHALAM - 682 012.
40. T.D.MATHEW AGED62YEARS S/O. DEVASSY, THAINAMVEETIL HOUSE OCHANATHURUTHU P.O - 682 508.
41. K.V.PETER AGED60YEARS S/O. VARDUKUTTY, KATTUPARAMBIL NAYARAMBALAM - 682 500.
42. T.G.GOPI AGED62YEARS S/O. GOVINDAN, THERUMPARAMBIL HOUSE PIZHALA P.O - 682 027.

43. K.A.BABY AGED61YEARS S/O. AIYAPPAN, KAMURIYIN HOUSE, VARANAM P.O. ALAPPUZHA44 P.L.CHACKO AGED60YEARS S/O. LAZAR, PASHNIPARAMBIL HOUSE, MUTTINAKAM VARAPPUZHA P.O.

45. N.K.SUGATHAN AGED60YEARS S/O. KUNJAN, NIKATHIL HOUSE, MALIANKARA P.O.46 K.J.ANTONY AGED61YEARS S/O. JOSEPH K.P., KANAKKASSERY, PIZHALA P.O - 682027.

47. N.K.KRISHNAN AGED60YEARS S/O. KUNJAN, NIKATTUTHARA HOUSE PUTHUVYPE P.O - 682 508 48. T.C.BABU AGED60YEARS S/O. CHELLAPPAN, NEDUMPARAMBIL NELLAMPROOR P.O -686534.

49. P.J.FRANCIS AGED59YEARS S/O. JOSEPH P.A, PULIYANATH HOUSE, 9/445/NAZRETH KOCHI - 2.

50. C.V.JOY AGED61YEARS S/O. VARUTH, CHERIYAKADAVIL HOUSE, PIZHALA P.O PIZHALA - 682 027.

51. V.G.SEBASTIAN AGED63YEARS V.O.GABRIEL, VETTOPARAMBIL OCHANATHURUTH P.O - 682 508. WP(C).No. 4055 of 2015 (F) ----- 52. SOMAN K.S AGED62YEARS S/O. K.V.SREEDHARAN, KALLARAKKAL HOUSE MULAVUKAD P.O - 682 504.

53. MATHEW JACOB AGED63YEARS S/O. JACOB, PUTHANANGADIYIL HOUSE, MULANTHURUTHY ERNAKULAM - 682 314.

54. JAYAPPAN T.R AGED58YEARS S/O. RAMADASAN, THARAYIL HOUSE, KUMBALAM P.O COCHIN - 682 506.

55. ANTONY GONSALVEZ AGED59YEARS S/O. FRANCIS, PALLIPARAMBIL HOUSE, MULAVUKAD P.O. PIN682504, ERNAKULAM DISTRICT.

56. K.P.JOHN AGED60YEARS S/O. K.F.PETER, KURISSINGAL HOUSE, CHERINGAKKADAVU KANNAMALI P.O., PIN - 682 008.

57. M.S.JOSEPH AGED59YEARS S/O. SYRIAC, MATHIRAPPILLY HOUSE MALIPURAM P.O - 682 511.

58. TOMY D'SILVA AGED61YEARS s/O. CYRIL, KATTATHU HOUSE, OCHANATHURUTH PUTHUVYPPU P.O., KOCHI - 682 508.
59. M.V.SIDHARATHAN AGED60YEARS S/O. VELANDI, MEDATHINKAL, METHALAPPADAM KANDARUKULAM P.O., KODUNGALLOOR - 680 669.
60. C.P.DARWIN AGED61YEARS S/O. PARAMESWARAN, CHETTIPARAMBIL HOUSE, THAIKATTUKARA P.O.AMBATTUKAVU, ALUVA - 683 106.
61. P.L.VIJAYAN AGED62YEARS S/O. LEKSHMANAN, PANAKKAPRAMBIL HOUSE, CHITTOOR P.O. COCHIN - 682 027.
62. M.REGHUNAANDANAN AGED61YEARS S/O. V.K.BALAKRISHNAN NAIR, NANDANAM HOUSE NEAR ELUMALAKKAL TEMPLE, P.O.EROOR SOUTH TRIPUNITURA - 682306.
63. K.Y.JOHN AGED60YEARS S/O. K.J.YOHANNAN, MATTATHILPUTHUVEL, VELOOR P.O. KOTTAYAM - 686 003.
64. K..A.JOSEPH AGED61YEARS S/O. K.J.ANTONY, KARAKKATT HOUSE, KANDAKKADAVU KOCHI - 682 008. WP(C).No. 4055 of 2015 (F)
- 65. K.SUDHAKARAN PILLAI AGED59YEARS S/O. LATE B.KRISHNA PILLAI, VIJAYA BHAVAN, ERUVA EAST ERUVA P.O., KAYAMKULAM, ALAPPUZHA.
66. K.K.ABDUL GAFOOR AGED60YEARS S/O. LATE KUNJU MOHAMMED, 44/743, NIVYA ROAD KALLOOR, COCHIN - 682 017.
67. K.GOPI AGED59YEARS S/O. T.A.KRISHNAN, THEKKEMURIYIL HOUSE KAITHARAM P.O. - 683 519.
68. P.A.VELAYUDHAN AGED58YEARS S/O. AYYAPPAN, PADINJAREKUTTU, KOVILKATHUMKADAVU VAIKOM P.O - 686 141.
69. K.N.THANKAPPAN AGED58YEARS S/O. NARAYANAN, KANNUVELLITHARA, NADUVILE VILLAGE PADINJARE MURI, VAIKOM - 686 141. BY ADVS.SRI.N.MANOJ KUMAR SMT.JAYASREE MANOJ

RESPONDENT(S): ----- 1.STATE OF KERALA REPRESENTED BY THE SECRETARY TO GOVERNMENT COASTAL SHIPPING AND INLAND NAVIGATION DEPARTMENT SECRETARIAT, THIRUVANANTHAPURAM - 695 001. 2.THE KERALA SHIPPING AND INLAND NAVIGATION CORPORATION LIMITED REPRESENTED BY ITS MANAGING DIRECTOR KOCHI - 682 020. R2 BY ADV. SRI.SANTHOSH MATHEW,SC,KINCO R BY SR.GOVERNMENT PLEADER SMT.M.J.RAJASREE THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON0804-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: WP(C).No. 4055 of 2015 (F) ----- APPENDIX PETITIONER(S)' EXHIBITS : ----- P1 - TRUE COPY OF THE G.O(MS) O. 2/2014/CSIND DT. 02.7.14 ISSUED BY THE GOVERNMENT. P2 - TRUE COPY OF THE GO(P)85/2011/FIN DT. 26.2.11 ISSUED BY THE GOVERNMENT. P3 - TRUE COPY OF THE REPRESENTATION DT. 14.8.14 SUBMITTED BEFORE THE2D RESPONDENT. P4 - TRUE COPY OF THE REPRESENTATION DT. 29.12.14 SUBMITTED TO THE HON'BLE CHIEF MINISTE OF KERLAA. P5 - TRUE COPY OF THE LETTER DT. 14.01.15 FROM THE OFFICE OF THE MINISTER FOR FISHERIES, PORTS AND EXCISE. RESPONDENT(S)' EXHIBITS : NIL ----- ms \\TRUE COPY// P.S to Judge A.MUHAMED MUSTAQUE, J.

~~~~~ W.P.(C).No.4055/2015

~~~~~ Dated this the 8th Day of April, 2015

JUDGMENT

The petitioners have approached this Court on account of the delay in disbursing salary and arrears consequent upon 2009 pay revision.

2. In this matter, a statement has been filed by the second respondent. It is stated therein that on account of paucity of funds, they are unable to disburse the amount and they have decided to pay Rs.10,000/- each, per month, to the retired employees.

3. I am of the view that the entire amount due to the petitioners shall be released within a period of 20 months. A minimum amount of Rs.10,000/- per month,

starting from May 2015 onwards, shall be paid to the retired employees within the outer limit of 20 months. The writ petition is disposed of as above. No costs. SD/-
A.MUHAMED MUSTAQUE, JUDGE ms

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