



2025:KER:30696

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH

TUESDAY, THE 8TH DAY OF APRIL 2025 / 18TH CHAITHRA, 1947

WP(C) NO. 5964 OF 2024

PETITIONER

VINOD K.A.
AGED 50 YEARS
S/O ACHUTHAMARAR, RESIDING AT 12A, TYPE II,
KERALA AGRICULTURAL UNIVERSITY STAFF QUARTERS,
VELLANIKKARA POST, TRISUUR,
PIN - 680654

BY ADVS.
K.M.JAMALUDHEEN
LATHA PRABHAKARAN
SAINA MARIYAM BABY

RESPONDENTS:

- 1 STATE OF KERALA
REPRESENTED BY SECRETARY TO GOVERNMENT,
MINISTRY OF AGRICULTURE, SECRETARIAT,
THIRUVANANTHAPURAM, PIN - 695001
- 2 STATE OF KERALA
REPRESENTED BY SECRETARY TO GOVERNMENT,
MINISTRY OF FINANCE, SECRETARIAT,
THIRUVANANTHAPURAM, PIN - 695001
- 3 THE COMPTROLLER
KERALA AGRICULTURAL UNIVERSITY,
FINANCE WING (PENSION),
VELLANIKKARA, TRISSUR, PIN - 680656



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4 THE REGISTRAR
KERALA AGRICULTURAL UNIVERSITY,
VELLANIKKARA, TRISSUR, PIN - 680656

5 STATE OF KERALA
REPRESENTED BY CHIEF SECRETARY,
GOVERNMENT OF KERALA, SECRETARIAT,
THIRUVANANTHAPURAM, PIN - 695001

BY ADVS.
ANTONY MUKKATH
REGI MATHEW(K/1132/2020)
TOMY CHACKO(K/002412/2022)

SRI. TONY AUGUSTINE, GOVERNMENT PLEADER
SRI.ROBSON PAUL,STANDING COUNSEL

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 08.04.2025, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:



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JUDGMENT

Dated this the 8th day of April, 2025

The petitioner, who has retired from the Kerala Agricultural University, has filed this writ petition seeking the following relief:-

“To issue a writ of mandamus or any other writ, order or direction directing respondents 3 and 4 to release the pension commutation amount, Death cum Retirement Gratuity amount and the retained portion of the Employees Provident Fund to the petitioner within a period of one month or within a time frame as this Hon'ble Court may deem fit and proper in the circumstances.”

2. Standing Counsel representing the University submitted that the petitioner has huge liability towards the University, for the loss caused during the period when he was working as Lab Assistant. The liability is not computed and finalised. The terminal benefits of the petitioner can only be disbursed after fixing the liability.



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3. Heard.

4. When this writ petition came up for hearing on 21.03.2024, this Court passed an interim order directing the respondents to pay commuted value of pension to the petitioner amounting to ₹49,46,162/-. The said amount has been paid. Now, according to the petitioner, what is remaining to be paid is DCRG, EPF benefits, leave surrender and salary arrears.

5. As the liability has not been finalised in respect of the petitioner, I am of the view that the writ petition can be disposed of directing the respondents to conclude the proceedings for fixation of liability and disburse the amount found due to the petitioner at the earliest.

The writ petition is therefore disposed of directing respondents 3 and 4 to conclude the proceedings for fixation of liability with notice to the petitioner as early as possible and



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at any rate within a period of two months. The balance terminal benefits payable to the petitioner shall be paid within a further period of one month thereafter.

Sd/-

N.NAGARESH
JUDGE

hnh



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APPENDIX OF WP(C) 5964/2024

PETITIONER'S EXHIBITS

- | | |
|-------------------|--|
| Exhibit P1 | TRUE COPY OF THE RELEVANT PAGE OF THE DISCHARGE SUMMARY ISSUED BY ASTER MIMS HOSPITAL DATED 10-8-2021 |
| Exhibit P2 | TRUE COPY OF THE LETTER BEARING NO-ESTT/1/2747/2020 DATED 12-12-2022 ISSUED BY THE SENIOR ADMINISTRATIVE OFFICER OF THE RESPONDENT UNIVERSITY |
| Exhibit P3 | TRUE COPY OF THE APPLICATION OF THE PETITIONER DATED 14-9-2023 SUBMITTED BEFORE THE 4TH RESPONDENT |
| Exhibit P4 | TRUE COPY OF THE ORDER BEARING NO-KAUGA/1792/2023 GA/2 DATED 2-11-2023 ISSUED BY THE 4TH RESPONDENT |
| Exhibit P5 | TRUE COPY OF THE APPLICATION DATED 5-12-2023 SUBMITTED BY THE PETITIONER BEFORE THE HON'BLE MINISTER FOR AGRICULTURE |
| Exhibit P6 | TRUE COPY OF THE LETTER ISSUED BY DR.FIJU CHACKO DATED 5-12-2023 |
| Exhibit P7 | TRUE COPY OF THE DETAILS GIVEN BY THE KERALA STATE CO-OPERATIVE BANK, MANNUTHY DATED NIL |
| Exhibit P8 | TRUE COPY OF THE ORDER OF THE 3RD RESPONDENT BEARING NO. KAUFIN/2242/2023/FINPENB1 DATED 14-12-2023 |
| Exhibit P9 | TRUE COPY OF THE ORDER OF THE 3RD |



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**RESPONDENT BEARING NO.
KAUFIN/6130/2023/FINPFA2 DATED 30-12-
2023 ALONG WITH CALCULATION STATEMENT**

**Exhibit P10 TRUE COPY OF THE REPORT OF AUDIT
DEPARTMENT OF THE RESPONDENT
UNIVERSITY BEARING NO-K.S.A.
(A.G.U)P.1-803/2023 DATED 6-1-2024**

**Exhibit P11 THE PAY-SLIP OF THE PETITIONER FOR THE
MONTH OF NOVEMBER 2022**

RESPONDENT EXHIBITS

**Exhibit R-4(a) A TRUE COPY OF JUDGEMENT DATED
09.04.2015 IN WP (C) NO.10214 OF 2015**

**Exhibit R-4(b) A TRUE COPY OF UNIVERSITY ORDER NO.
GA/J3/10260/2021 DATED 04.08.2021**

**Exhibit R-4(c) A TRUE COPY OF THE UNIVERSITY LETTER
NO: KAUFIN/2442/2023- FIN PEN B1 DATED
05.02.2024**

**Exhibit R-4(d) A TRUE COPY OF THE LETTER NO: PRU-
2/17/2023-FIN DATED 26.10.2023 ISSUED
BY THE FINANCE (PRU) DEPARTMENT,
GOVERNMENT OF KERALA**