

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.SURENDRA MOHAN

FRIDAY, THE 29TH APRIL 2011 / 9TH VAISAKHA 1933

WP(C).No. 12697 of 2011(J)  
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PETITIONER(S):  
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G.SYAM PRASAD, S/O. S.GANESA PILLAI,  
'MAV HOUSE', AMARAVILA P.O., PIN - 695 122,  
THIRUVANANTHAPURAM DISTRICT.  
(ASSISTANT DEPOT ENGINEER - RETIRED ON 31.3.2011  
FROM VIZHINJAM).

BY ADV. SRI.K.P.JUSTINE (KARIPAT)

RESPONDENTS:  
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1. THE KERALA STATE ROAD TRANSPORT  
CORPORATION, REPRESENTED BY ITS MANAGING DIRECTOR,  
TRANSPORT BHAVAN, FORT P.O.,  
THIRUVANANTHAPURAM - 23.
2. THE FINANCIAL ADVISOR & CHIEF ACCOUNTS  
OFFICER, KERALA STATE ROAD TRANSPORT CORPORATION,  
TRANSPORT BHAVAN, FORT P.O.,THIRUVANANTHAPURAM-23.
3. THE ASSISTANT ACCOUNTS OFFICER (PENSION)  
KERALA STATE ROAD TRANSPORT CORPORATION,  
TRANSPORT BHAVAN, FORT P.O.,THIRUVANANTHAPURAM-23.
4. THE DISTRICT TRANSPORT OFFICER,  
KERALA STATE ROAD TRANSPORT CORPORATION,  
VIZHINJAM.

BY STANDING COUNSEL SRI.V.V.NANDAGOPAL NAMBIAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 29/04/2011, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:

**K.SURENDRA MOHAN, J.**

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**W.P.(C) No.12697 of 2011**  
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**Dated this the 29<sup>th</sup> April, 2011**

**JUDGMENT**

The petitioner has filed this Writ Petition seeking appropriate orders for an out of turn disbursement of his retirement benefits. The petitioner retired from the service of the first respondent Corporation on 31.3.2011 as an Assistant Depot Engineer. However, his retirement benefits have not been paid to him, so far. It is pointed out that the retirement benefits of employees like him are being disbursed in accordance with the guidelines stipulated by this Court in Writ Appeal No.289/2001. However, it is contended that this Court has been directing out of turn disbursement of retirement benefits, in deserving cases.

2. According to the petitioner, the marriage of his daughter is scheduled to be solemnised on 10.7.2011. He has no other source of income to meet the expenses for the marriage. Therefore, he seeks disbursement of his retirement benefits out of turn.

3. The standing counsel for the first respondent Corporation submits that disbursement of retirement benefits may be ordered only after permitting the Corporation to ascertain the genuineness of the claim that is put forward by the petitioner.

4. In the above circumstances, this Writ Petition is disposed of directing the respondents to enquire into the genuineness of the request of the petitioner and the reasons put forward for out of turn disbursement of his retirement benefits. If it is found that the request made by the petitioner is genuine, the retirement benefits of the petitioner including Death cum Retirement Gratuity shall be disbursed to him within a period of one month from the date of receipt of a copy of this judgment.

**K.SURENDRA MOHAN,  
JUDGE**

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