

Kerala High Court

M.V.Sukumaran vs The Joint Registrar (General) on 27 August, 2009

IN THE HIGH COURT OF KERALA AT ERNAKULAM

WP(C).No. 21619 of 2009(V)

1. M.V.SUKUMARAN, S/O. VELAYUDHAN,
... Petitioner

Vs

1. THE JOINT REGISTRAR (GENERAL),
... Respondent

2. THE MUVATTUPUZHA URBAN CO-OPERATIVE

For Petitioner :SMT.AMBIKA RADHAKRISHNAN

For Respondent :SRI.MANOJ P.KUNJACHAN

The Hon'ble MR. Justice ANTONY DOMINIC

Dated :27/08/2009

O R D E R

ANTONY DOMINIC, J.

W.P.(C.) No.21619 of 2009

Dated, this the 27th day of August, 2009

J U D G M E N T

The petitioner, a retired employee of the 2nd respondent Bank, has approached this Court praying for a direction to the respondents to release the entire amount of DCRG that is due to him. It is stated that according to the petitioner, the Bank had subscribed to Gratuity Fund Trust with the Life Insurance Corporation, and that the Life Insurance Corporation of India has paid an amount of Rs.5,85,596/- to the Bank, and despite that, he was paid only Rs.3,50,000/- acting upon Ext.P1 circular No.25/99.

2. In similar circumstances, this Court in the judgment in Retnavalli v. Ambalapadu Service Co-operative Bank Ltd. (2005(3) KLT 320) has already held that a retired employee is eligible to be paid full gratuity.

3. In my view, that judgment covers the entire issue raised in this writ petition in favour of the petitioner. Therefore, the writ petition is disposed of directing that the 2nd respondent shall WP(C) No.21619/2009 sanction and disburse the balance amount of gratuity that is due to the petitioner. This shall be done as expeditiously as possible, at any rate, within three weeks of production of a copy of this judgment.

This writ petition is disposed of as above.

(ANTONY DOMINIC, JUDGE) jg