

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN

Thursday, the 29th day of August 2024 / 7th Bhadra, 1946
CONTEMPT CASE(C) NO. 1772 OF 2024 (S) IN WP(C) 24079/2021

PETITIONER/PETITIONER IN WP(C):

K.ASOKAKUMAR, AGED 66 YEARS, S/O KUTTAN,
RESIDING AT KURUPPAMTHAZIKAM HOUSE, VAKKOM P.O,
TRIVANDRUM, PIN - 695 308 .

BY ADVS. M/S. JOSE ABRAHAM & E.ADITHYAN

RESPONDENTS/1ST AND 2ND RESPONDENTS IN WP(C):

1. DR K VASUKI, SECRETARY TO GOVERNMENT, TRANSPORT DEPARTMENT, STATE OF KERALA, THIRUVANANTHAPURAM, PIN - 695 001.
2. DR V VENU IAS, CHIEF SECRETARY, GOVERNMENT OF KERALA, SECRETARIAT, THIRUVANANTHAPURAM DISTRICT, KERALA, PIN - 695 001.

BY SRI. SANTHOSH KUMAR, SPECIAL GOVERNMENT PLEADER

This Contempt of court case (civil) having come up for orders on 29.08.2024, the court on the same day passed the following:

P.T.O.

DEVAN RAMACHANDRAN, J.

Contempt Case (Civil) No.1772/2024

Dated this the 29th day of August, 2024

O R D E R

In response to the order of this Court dated 14.08.2024, the respondents have filed affidavits seeking exemption from personal appearance; as also explaining the steps taken for disbursement of pension to the petitioner and other pensioners of the Kerala State Road Transport Corporation (KSRTC).

2. The petitioner, on the other hand, has filed I.A.No.2/2024, producing along with it Annexures A4 and A5 - which is a news report and First Information Report respectively, with respect to the unfortunate suicide of a retired employee of the KSRTC.

3. The affidavits filed by the respondents aver that the Government has now stepped in, providing Rs.71,52,71,340/- to ensure payment of pension for the months of July and August;

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and it is further stated therein that the amount for the month of July has been, substantially, if not fully, already disbursed. As regards the pension for August 2024, they seek a week's time.

4. It will certainly be repetitive for this Court to say that the failure to honour even a month's pension has been creating cataclysmic consequences among the pensioners. This Court is pained to know that people are even taking extreme measures in desperation.

5. In fact, Sri.Santhosh Kumar – learned Special Government Pleader, affirmed that the Government also feel the same; but that it is solely on account of certain financial issues, payments have been delayed.

6. It is, therefore, without doubt that the pension for the month of August will have to be paid immediately; while for September, it will require to be honoured without delay. This is particularly because, we are going to celebrate Onam

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and this Court cannot allow any pensioner to feel left out or isolated.

7. Before I close, I deem it necessary to remind the pensioners not to consider actions which are irrational and unnecessary, when this Court is seized of the matter. The resolve of this Court is to ensure pension being paid within the time frames fixed; and the orders now passed would bear testimony to it.

8. Unfortunately, the directions and orders of this Court sometimes do not reach the people in time; and *prima facie*, this appears to be the reason why the incident, as disclosed from the documents produced by the petitioner along with I.A.No.2/2024, has happened. This Court is still considering whether to register a *suo motu* contempt case on these information and reports; which I propose to decide on the next posting date, depending upon the payments now undertaken to be paid by the Government.

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9. The respondents are advised to keep in mind that the delay of payment of pension during Onam would be far more tenuous as far as the pensioners are concerned, when they respond to this Court next.

List this case for further consideration on 04.09.2024.

RR



Sd/-

DEVAN RAMACHANDRAN,
JUDGE

APPENDIX OF CON.CASE(C) 1772/2024

Annexure A4 in IA 2/2024 TRUE COPY OF THE NEWSPAPER REPORT THAT GOT PUBLISHED IN THE MANORAMA NEWSPAPER DAILY ON 21ST AUGUST 2024.

Annexure A5 TRUE COPY OF THE FIR REGISTERED WHICH GOT NUMBERED AS CRIME NO 950 OF 2024 DATED 20-08-2024 BEFORE THE THIRUVANANTHAPURAM RURAL POLICE STATION.

