

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

WEDNESDAY, THE 3RD DAY OF JUNE 2015/13TH JYAISHTA, 1937

WP(C).No. 1771 of 2015 (V)

PETITIONER(S):

**V.GOPALAN, AGED 65 YEARS,
RETIRED SANITATION WORKER
CHENGANNUR MINICIPALITY (PUTHUKULAMNGARA VEEDU,
CHERUVALLY, KAYAMKULAM)**

**BY ADVS.SRI.K.SASIKUMAR
SRI.R.ROHITH
SRI.K.JANARDHANA SHENOY
SRI.S.ARAVIND**

RESPONDENT(S):

- 1. CHENGANNUR MUNICIPALITY
REPRESENTED BY IS SECRETARY, CHENGANNUR-689109**
- 2. DIRECTOR OF URBAN AFFAIRS, THIRUVANANTHAPURAM-695 001**

**R1 BY ADV.SRI.S.HARIKRISHNAN,SC,CHENGANNUR MUNICIPALITY
R BY GOVERNMENT PLEADER SRI.RINNY STEPHEN CHAMAPARAMPIL**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
03-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

WP(C).No. 1771 of 2015 (V)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1: A TRUE COPY OF THE JUDGMENT DATED 7.7.2010 PASSED BY THIS
HONOURABLE COURT IN W.P.NO.19297/2010**

**EXHIBIT P2: A TRUE COPY OF THE REPLY DATED 1.12.2014 ISSUED BY THE 1ST
RESPONDENT TO THE PETITIONER.**

RESPONDENT(S)' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C).NO.1771 OF 2015 (V)

Dated this the 3rd day of June, 2015

J U D G M E N T

The petitioner has approached this Court challenging the inaction on the part of the 1st respondent Municipality in disbursing to the petitioner the arrears of salary, arrears of D.A., pension commutation and all terminal benefits on the basis of the Government orders issued on 25.8.2011 and 8.12.2011. The details of the amounts that are required to be paid to the petitioner under the aforementioned heads are narrated in Ext.P2 communication issued by the 1st respondent Municipality itself. In a statement that is filed on behalf of the 1st respondent Municipality, the 1st respondent does not dispute the entitlement of the petitioner to the amounts in question. The only plea in the statement is for some time to disburse the amounts in question to the petitioner since the 1st respondent Municipality is currently facing a financial crisis.

2. I have heard the learned counsel for the petitioner as also the learned Standing counsel for the 1st respondent Municipality.

On a consideration of the facts and circumstances of the case, as also the submissions made across the bar, I dispose the writ petition with a direction to the 1st respondent Municipality to disburse the amounts due to the petitioner as evidenced by Ext.P2 communication of the 1st respondent Municipality, within a period of four months from the date of receipt of a copy of this judgment. I make it clear that if the said amounts are not disbursed to the petitioner within the time limit stipulated above, then the payments shall carry interest at 6% from the date immediately after expiry of the period of four months , till the date of actual payment to the petitioner.

A.K.JAYASANKARAN NAMBIAR
JUDGE

prp