

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 13TH DAY OF MARCH 2015/22ND PHALGUNA, 1936

WP(C).No. 3471 of 2015 (H)

PETITIONER(S) :

T.C.RAVI, AGED 64 YEARS,
PRERMJITH, KAATTIL PARAMBA, P.O.VENGERI
KOZHIKODE-673010.

BY ADVS.SRI.NIRMAL. S
SMT.VEENA HARI

RESPONDENT(S) :

1. THE DIRECTOR OF URBAN AFFAIRS,
THIRUVANANTHAPURAM-695001.

2. THE LOCAL FUND AUDIT,
DEPUTY DIRECTOR, KOZHIKODE-673001.

3. CALICUT CORPORTION
REP. BY ITS SECRETARY, CALICUT CORPORATION BUILDING,
BEACH ROAD, CALICUT-673001.

R3 BY ADV. SRI.P.V.SURENDRANATH
R1-R2 BY ADV. SRI.K.A.JALEEL, ADDL. ADVOCATE GENERAL
R BY GOVERNMENT PLEADER SRI.V.VIJULAL
R BY SRI.K.D.BABU, SC, KOZHIKODE CORPORATION

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
13-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 3471 of 2015 (H)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXHIBIT P1: TRUE COPY OF THE ORDER NO.B11(CP)74939/11 DATED 5.3.2012.

EXHIBIT P2: TRUE COPY OF THE COMMUTATION PENSION AS PER ORDER NO.B11
(CP)74939/11 DATED 5.3.2012.

EXHIBIT P3: TRUE COPY OF THE REPRESENTATION TO THE 3RD RESPONDNET
DATED 23.5.2014 ALONG WITH THE ACKNOWLEDGEMENT RECEIPT DATED
23.5.2014.

EXHIBIT P4: TRUE COPY OF THE DRAFT COPY OF PENSION REVISION AND
ARREARS STATEMENT.

EXHIBIT P5: TRUE COPY OF REPRESENTATION DATED 24.11.2014 ALONG WITH
ACKNOWLEDGEMENT RECEIPT.

EXHIBIT P6: TRUE COPY OF THE LOAN AGREEMENT DATED 5.2.2014.

EXHIBIT P7: TRUE COPY OF THE LETTER DATED 17.12.2014.

RESPONDENT(S) ' EXHIBITS

----- : NIL

/TRUE COPY/

P.S. TO JUDGE.

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.3471 OF 2015

Dated this the 13th day of March, 2015

JUDGMENT

The petitioner retired as a contingent employee from the Corporation of Kozhikode on 31/12/2011. He approached this Court on account of the delay in disbursing the pension arrears, gratuity, DCRG and Commuted Value of Pension.

2. The learned Standing Counsel for the Corporation submits that the Corporation is prepared to pay the pension arrears. But, they are unable to pay the pension due to paucity of funds.

3. Considering the same, the Corporation is directed to pay the pension arrears in three installments. It is further submitted that the Corporation has already paid one of such installments. Remaining two installments shall be paid on or before 31/5/2015.

4. It is also submitted that the Commuted Value of Pension and DCRG are under the verification of the Local Fund Audit Department and the sanction from the Local Fund Audit

Department is awaited.

2. In view of the above facts and circumstances, there shall be a direction to the 2nd respondent - Local Fund Audit to take necessary action, on the request made by the Corporation, for sanctioning the DCRG and Commuted Value of Pension within a period of two months from the date of receipt of a copy of this judgment. Thereafter, based on such sanction, the amount shall be released to the petitioner by the Corporation within a further period of four months from the date of receipt of such sanction.

The writ petition is disposed of as above.

Sd/-

**A.MUHAMED MUSTAQUE,
Judge.**

dpk

/True copy/ P.S. To Judge.

