

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRA

WEDNESDAY, THE 24TH DAY OF JUNE 2015/3RD ASHADHA, 1937

WP(C).No. 23651 of 2003 (N)

PETITIONER :

K.NARAYANAN,
ATTENDER (RETD.),
THULAVANKANDY PARAMBU,
KOTTOOLI.P.O.,
KOZHIKODE.

BY ADV. SRI.T.G.RAJENDRAN

RESPONDENTS :

1. THE ACCOUNTS OFFICER,
KERALA STATE LIBRARY COUNCIL,
P.B.No.6501, TRIVANDRUM-33.
2. THE DIRECTOR,
DIRECTOR OF LOCAL FUND AUDIT,
VIKAS BHAVAN, TRIVANDRUM.
3. THE SECRETARY,
LOCAL LIBRARY AUTHORITY,
KOZHIKODE.

R1 BY ADV. SRI.P.V.SURENDRANATH

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
24-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 23651 of 2003 (N)

APPENDIX

PETITIONER'S EXHIBITS:-

- EXT.P1 : COPY OF THE COMMUNICATION OF THE 1ST
RESPONDENT DTD.5.4.2000.
- EXT.P2 : COPY OF THE ORDER OF THE 2ND RESPONDENT
DTD.15.1.2003.
- EXT.P3 : COPY OF THE ORDER OF THE 2ND RESPONDENT
DTD.15.1.2003.

RESPONDENTS' EXHIBITS :- NIL.

True copy

P.A to Judge

ANIL K.NARENDRA, J.

W.P.(C)No.23651 of 2003

Dated this the 24th day of June, 2015

JUDGMENT

The petitioner retired from service while working as Attender in Public Library, Panniankara, Kozhikode on 31.3.1999. By Ext.P1 proceedings of the 1st respondent dated 5.4.2000 the petitioner was informed that he is sanctioned with a sum of ₹31,716/- towards pension arrears for the period from 1.4.1999 to 31.3.2000 and a further sum of ₹42,209/- towards commuted value of pension. Thereafter, the 2nd respondent issued Ext.P2 order revising the commuted value of pension as ₹84,965/-. Ext.P2 was followed by Ext.P3 verification report, as per which, the pensionary benefits was revised and the balance DCRG payable was fixed as ₹91,278/-.

2. The grievance of the petitioner in this Writ Petition is that even after the issuance of Ext.P3 the revised DCRG and commuted value of pension have not been disbursed to him. It is aggrieved by the inaction on the part of the respondents in disbursing the aforesaid terminal benefits, the petitioner has approached this Court in this Writ Petition seeking a writ of mandamus commanding the

respondents to pay the amount covered by Exts.P2 and P3 and for other consequential reliefs.

3. Today when the case was taken up for final hearing the learned counsel for the petitioner as well as the learned Standing Counsel for the 1st respondent are not having any instructions as to whether the terminal benefits of the petitioner has already been disbursed to him. Since this Writ Petition is of the year 2003, I deem it appropriate to dispose of this Writ Petition with the following direction:-

If any portion of the terminal benefits sanctioned to the petitioner in terms of Exts.P2 and P3 is yet to be paid, the respondents shall take necessary steps in this regard, as expeditiously as possible, at any rate, within a period of 3 months from the date of receipt of a certified copy of this judgment, if there is no other legal impediment.

ANIL K.NARENDRAN, JUDGE

skj