

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

THURSDAY, THE 21ST DAY OF MAY 2015/31ST VAISAKHA, 1937

WP(C).No. 13364 of 2015 (U)

PETITIONER(S):

**CHENTHAMARA
AGED 60 YEARS, W/O.KANDACHAMI, RETIRED SANITATION WORKER
PALAKKAD MUNICIPALITY, RESIDING AT CHAMAKKAD HOUSE
KUNNUPARAMBA, KINASSERY, PALAKKAD-678707
MOBILE: 8157049449.**

BY ADV. SRI.U.BALAGANGADHARAN

RESPONDENT(S):

- 1. THE PALAKKAD MUNICIPALITY
REPRESENTED BY ITS SECRETARY, PALAKKAD-678001.**
- 2. THE SECRETARY
PALAKKAD MUNICIPALITY, PALAKKAD-678001.**
- 3. THE DIRECTOR OF URBAN AFFAIRS
THIRUVANANTHAPURAM-695001.**

**R BY GOVERNMENT PLEADER SMT.LOWSY.A.
R BY SRI.T.C.SURESH MENON, SC**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
21-05-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

W.P.(C).NO.13364/2015

APPENDIX

PETITIONER'S EXHIBITS:

**EXT.P1: COPY OF THE NOTICE OF RETIREMENT ISSUED BY THE 2ND
RESPONDENT DATED 14.8.2013.**

RESPONDENTS EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C).NO.13364 OF 2015 (U)

Dated this the 21st day of May, 2015

J U D G M E N T

The grievance of the petitioner in the writ petition is that although the petitioner retired as a Sanitary worker from the respondent Municipality on 30.11.2014, the respondent Municipality has not paid any retirement benefits to the petitioner till date. In the writ petition, the petitioner seeks a direction to the respondent Municipality to sanction and disburse the arrears of pension, DCRG, commuted value of pension, DA arrears, 4th Time Bound higher grade etc.

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

The learned Standing counsel for the respondent Municipality would submit that the entitlement of the petitioner for the retirement benefits is not disputed. The only submission made is with regard to the paucity of funds for the respondent Municipality. The learned

Standing counsel for the respondent Municipality submits that if a period of three months is granted to the respondent Municipality, they will ensure that the petitioner is paid all the retirement benefits that are due to her. Under the circumstances, I dispose the writ petition by recording the submission of counsel for the respondent Municipality and further, direct the respondent Municipality to ensure that the petitioner is paid the retirement benefits due to her within a period of three months from the date of receipt of a copy of this judgment. I make it clear that if the payment of the retirement benefits is not effected to the petitioner within a period of three months as directed above, then the payments due to her shall carry interest @ 6% for the period after the three months till the date of actual disbursal.

A.K.JAYASANKARAN NAMBIAR
JUDGE

prp