

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 19TH DAY OF JANUARY 2015/29TH POUSHA, 1936

WP(C).No. 14597 of 2014 (Y)

PETITIONER(S) :

P.G.KUTTAPPAN,
PANDARAKKUMCHALI, KARUKADAM P.O, VENDUVAZHY,
KOTHAMANGALAM, ERNAKULAM 686 691 (CONTINGENT WORKER
(SANITATION WORKER), (RTD), KOTHAMANGALAM MUNICIPALITY,
KOTHAMANGALAM 686 691

BY ADVS.SRI.B.RAGUNATHAN
SRI.G.GOPALAKRISHNA PILLAI
SRI.M.SALIM
SRI.R.SRINATH
SRI.V.M.JACOB

RESPONDENT(S) :

1. STATE OF KERALA,
REPRESENTED BY PRINCIPAL SECRETARY TO GOVERNMENT,
LOCAL SELF GOVERNMENT DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM 695 001

2. DIRECTOR OF URBAN AFFAIRS,
PUBLIC OFFICE BUILDINGS, THIRUVANANTHAPURAM 695 033

3. SENIOR DEPUTY DIRECTOR, LOCAL FUND AUDIT, DISTRICT
OFFICE, CIVIL STATION, KAKKANAD, ERNAKULAM 682 030

4. KOTHAMANGALAM MUNICIPALITY, REPRESENTED BY
SECRETARY, KOTHAMANGALAM MUNICIPALITY, KOTHAMANGALAM 686 691

5. SHRI K.P BABU,
CHAIRMAN, KOTHAMANGALAM MUNICIPALITY
KOTHAMANGALAM 686 691

R4 & 5 BY ADV. SRI.C.A.MAJEED, SC, KOTHAMANGALAM MUNICIPALITY
R BY GOVERNMENT PLEADER SMT.LOWCY.A.
R BY SRI.C.A.MAJEED

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
19-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 14597 of 2014 (Y)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXHIBIT P1 TRUE COPY OF THE LETTER DATED 09-10-2013 OF THE 3RD
RESPONDENT ALONG WITH THE REVISED CALCULATION SHEET SHOWING
DCRG, FAMILY/RETIRING PENSIONARY BENEFITS, VERIFICATION REPORT AND
CALCULATION OF COMMUTED VALUE OF PENSION
EXHIBIT P2 TRUE COPY OF THE LETTER DATED 30-05-2013 OF THE PUBLIC
INFORMATION OFFICER, KOTHAMANGALAM MUNICIPALITY ADDRESSED TO SHRI M.E
RAMAN

RESPONDENT(S) ' EXHIBITS

-----: NIL

/TRUE COPY/ P.S. TO JUDGE.

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.14597 OF 2014

Dated this the 19th day of January, 2015

JUDGMENT

The petitioner retired from the service of the Kothamangalam Municipality as a contingent worker on 31/10/2013. It is submitted that a sum of Rs.9,11,583/- was sanctioned as DCRG & CVP on 9/10/2013. Other amounts remain unpaid. Accordingly, the petitioner approached this Court. This Court, as per the interim order dated 27/6/2014, directed the Municipality to pay 50% of the amount due on or before 31/7/2014. It is submitted that, that amount was paid within the time. The only question now remains is regarding the balance amount. It seems that the Municipality is facing severe financial constraints, as revealed from the counter affidavit, and the Municipality is unable to pay the amount. Considering the fact that the petitioner was retired in the year 2013, the Municipality is given three months time to pay the entire balance. The above amount shall be paid on or before

30/4/2015. If the Municipality fails to pay the amount within that time, the amount will carry interest at the rate of 7.5% with effect from 1/5/2015 onwards.

The writ petition is disposed of as above.

Sd/-

**A.MUHAMED MUSTAQUE,
Judge.**

dpk

/true copy/ P.S. To Judge.