

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

FRIDAY, THE 26TH DAY OF JUNE 2015/5TH ASHADHA, 1937

WP(C).No. 14784 of 2015 (W)

PETITIONER(S):

**BABU P.G AGED 60 YEARS
S/O.LATE GOVINDAN, RETIRED A.M.M. WORKER, CIRCLE NO.20
HEALTH INSPECTORS OFFICE, CORPORATION OF COCHIN
ERNAKULAM, COCHIN-682011**

**BY ADVS.SRI.SAJITH KUMAR V.
SRI.P.K.ANTONY**

RESPONDENT(S):

- 1. STATE OF KERALA
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT
DEPARTMENT FOR LOCAL SELF GOVERNMENT
GOVERNMENT OF KERALA, SECRETARIAT, THIRUVANANTHAPURAM-695001**
- 2. THE DIRECTOR OF URBAN AFFAIRS,
DEPT OF LOCAL SELF GOVERNMENT, SWARAJBHAVAN
NANDANCODE, KAWADIYAR PO, THIRUVANANTHAPURAM 695003**
- 3. CORPORATION OF COCHIN
REPRESENTED BY ITS SECRETARY, CORPORATION OFFICE
ERNAKULAM, COCHIN 682011**

**R3 BY ADV. SRI.K.P.JUSTINE(KARIPAT)SC,COCHIN CORPN
R BY GOVERNMENT PLEADER, SMT. LOUSY A.
R BY SRI.P.K.SOYUZ,SC,COCHIN CORPORATION**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
26-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

WP(C).No. 14784 of 2015 (W)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1: A TRUE COPY OF THE FORM 26(1) SUBMITTED BY THE PETITIONER

**EXHIBIT P2: A TRUE COPY OF THE REPRESENTATION FORWARDED BY THE
HEALTH INSPECTOR TO THE SECRETARY CORPORATION OF COCHIN**

**EXHIBIT P3: A TRUE COPY OF THE LETTER NO. MOA-17/PIO/2446/15 DATED
23.2.2015 ISSUED BY THE 1ST RESPONDENT**

RESPONDENT(S)' EXHIBITS

nil

// True copy //

das

PA to Judge

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C). No. 14784 of 2015

Dated this the 26th day of June, 2015

JUDGMENT

The petitioner, who retired as an AMM Worker, from the services under the 3rd respondent, is aggrieved by the delay on the part of the 3rd respondent in disbursing the retirement benefits, that are due to the petitioner. In the writ petition, the relief sought for is for a direction to the respondents to disburse the retirement benefits, including monthly pension, commutation of pension, terminal leave surrender, provident fund, gratuity and other retirement benefits, together with interest thereon.

2. I have heard the learned counsel for the petitioner and also the learned Standing Counsel for the respondent Corporation.

It is the submission of the learned Standing Counsel for the respondent Corporation that, it is only on account of the financial crunch faced by the Corporation that the disbursal of the amount could not be effected till date. Taking note of this submission, I dispose the writ petition with a direction to the 3rd respondent to quantify and disburse the retirement benefits due and payable to the petitioner, within a period of four months from today. I make it clear, that if the amounts are not paid to the petitioner, within the

period of four months stated above, then the said amounts shall carry interest at the rate of 6% per annum from the date immediately after the expiry of four months, till the date of actual disbursement to the petitioner.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE

das