

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

WEDNESDAY, THE 17TH DAY OF JUNE 2015/27TH JYAISHTA, 1937

WP(C).No. 15353 of 2015 (T)

PETITIONER(S):

**LAKSHMI R., AGED 59 YEARS,
D/O.RAMASWAMI, CHITHRA MILL, HOUSE NO.7/191,
MANNALMANDA, AMBIKAPURAM PO
PALAKKAD 678011**

BY ADV. SRI.U.BALAGANGADHARAN

RESPONDENT(S):

- 1. THE PALAKKAD MUNICIPALITY
REPRESENTED BY ITS SECERTARY, PALAKKAD 678001**
- 2. THE SECRETARY, PALAKKAD MUNICIPALITY
PALAKKAD 678001**
- 3. THE DIRECTOR OF URBAN AFFAIRS
THIRUVANANTHAPURAM 695001**
- 4. THE SECRETARY
LOCAL SELF GOVERNMENT DEPARTMENT
THIRUVANANTHAPURAM 695001**
- 5. THE DEPUTY DIRECTOR
LOCAL FUND AUDIT, PALAKKAD MUNICIPALITY
PALAKKAD 678001**

**R1 & 2 BY ADV. SRI.T.C.SURESH MENON
R1 & 2 BY ADV. SRI.P.S.APPU
R BY GOVERNMENT PLEADER SMT.LOWSY.A.**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
17-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

**EXT.P1:A TRUE COPY OF THE MINUTES OF THE COUNCIL MEETING DATED
30.06.2014**

**EXT.P2:A TRUE COPY OF THE ORDER OF THE 3RD RESPONDENT DATED
04.03.2015**

EXT.P3:A TRUE COPY OF THE REPRESENTATION DATED 17.10.2014

**EXT.P4:A TRUE COPY OF THE REPRESENTATION SUBMITTED TO
RESPONDENTS 3, 4 & 5 DATED 04.04.2015**

**EXT.P5:TRUE COPIES OF THE ACKNOWLEDGEMENTS RECEIVED FROM 2 TO 5
RESPONDENTS.**

**EXT.P6: COPY OF MEDICAL REPORTS ALONG WITH DISCHARGE SUMMARY
DATED 3.6.15 ISSUED BY DISTRICT HOSPITAL, PALAKKAD.**

RESPONDENT(S)' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C).NO.15353 OF 2015 (T)

Dated this the 17th day of June, 2015

J U D G M E N T

The petitioner, who was a sanitation worker under the respondent Municipality, and who had retired voluntarily on 24.7.2014, is essentially aggrieved by the delay in the disbursal of retirement benefits due to her by the respondent Municipality. In paragraph 10 of the writ petition, the petitioner has listed the heads of retirement benefits that are due to her, as follows:

- a) Monthly pension
- b) Arrears of Pension
- c) DCRG
- d) Commutation value of Pension
- e) Provident Fund Balance
- f) Pay Revision arrears
- g) DA arrears on pension announced by the Government from time to time

It is on account of the delay in the disbursal of the said benefits that the petitioner has approached this Court through the present writ petition.

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

3. On a consideration of the facts and circumstances of the case as also the submissions made across the bar, and in particular, the

statement of the learned Standing counsel for the respondent Municipality that, although the amounts claimed by the petitioner are not disputed, it is on account of the financial hardship faced by the respondent Municipality that the amounts are not paid to the petitioner till date, I direct the respondent Municipality to take steps to release the amounts due to the petitioner in two equal and successive monthly installments commencing from 15.7.2015. I make it clear that if the said amounts are not paid to the petitioner by 15.8.2015, then the respondent Municipality shall be liable to pay interest @ 6% p.a. on the said amounts, for the delay occasioned subsequent to 15.8.2015, till the date of actual disbursal to the petitioner.

The writ petition is disposed as above.

A.K.JAYASANKARAN NAMBIAR
JUDGE

prp