

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

TUESDAY, THE 30TH DAY OF JUNE 2015/9TH ASHADHA, 1937

WP(C).No. 16630 of 2015 (C)

PETITIONER(S):

- 1. RAJAN P.P, AGED 57 YEARS,
HEAD OPERATOR (RETIRED) PUBLIC HEALTH DIVISION
KERALA WATER AUTHORITY, VADAKARA
NOW RESIDING AT PARAYULLAPARAMBATH HOUSE
P.O. NARIPATTA, KALLACHI, KOZHIKODE DISTRICT
PIN-673 506**
- 2. SASEENDRAN A
MAN MAZDOOR HIGHER GRADE III (RETIRED)
PUBLIC HEALTH DIVISION
KERALA WATER AUTHORITY, VADAKARA
NOW RESIDING AT "SOUPARNIKA" ALAYINTAVIDE HOUSE
P.O. VADAKARA, ALAYINTAVIDE HOUSE PO VADAKARA
KOZHIKODE DISTRICT PIN-673 101**

**BY ADVS.SRI.P.J.MATHEW
SRI.EBIN MATHEW**

RESPONDENT(S):

- 1. STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT
DEPARTMENT OF FINANCE, GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM 695001**
- 2. THE MANAGING DIRECTOR,
KERALA WATER AUTHORITY, 'JALA BHAVAN',
THIRUVANANTHAPURAM PIN-695 033**
- 3. THE FINANCE MANAGER AND CHIEF ACCOUNTS OFFICER
OFFICE OF THE MANAGING DIRECTOR
KERALA WATER AUTHORITY
'JALA BHAVAN' THIRUVANANTHAPURAM 695 033**
- 4. THE EXECUTIVE ENGINEER,
PH DIVISION, KERALA WATER AUTHORITY, VADAKARA
KOZHIKODE DISTRICT**

**R BY GOVERNMENT PLEADER SMT.M.J.RAJASREE
R BY SRI.GEORGE MATHEW, SC, KERALA WATER AUTHORITY**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
30-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

WP(C).No. 16630 of 2015 (C)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1: TRUE COPY OF THE PENSION PAYMENT ORDER NO.7840 ISSUED BY THE KERALA WATER AUTHORITY

EXHIBIT P2: TRUE COPY OF THE GRATUITY PAYMENT ORDER DATED 19.2.2014

EXHIBIT P3: TRUE COPY OF THE COMMUTATION PAYMENT ORDER DATED 19.2.2014

EXHIBIT P4: TRUE COPY OF ORDER DATED 8/2014 COMMUTED THE PENSIONARY CLAIMS OF THE 2ND PETITIONER ISSUED BY THE 2ND RESPONDENT

EXHIBIT P5: TRUE COPY OF THE GRATUITY PAYMENT ORDER SANCTIONING AN AMOUNT OF RS 3,28,786 DATED 8/2014

EXHIBIT P6: TRUE COPY OF THE COMMUNICATION PAYMENT ORDER DATED 8/2014 ISSUED BY THE 2ND RESPONDENT

RESPONDENT(S)' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C).NO.16630 OF 2015 (C)

Dated this the 30th day of June, 2015

J U D G M E N T

The petitioners, who are retired employees of the Kerala Water Authority, are aggrieved by the non-disbursal of the commuted value of pension amounts to them by the respondent Kerala Water Authority. It is the case of the petitioners that while they had retired with effect from 30.11.2013, all the other pensionary benefits have since been paid to them except the commuted value of pension, which is still to be disbursed by the respondent Authority.

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

On a consideration of the facts and circumstances of the case as also the submissions made across the bar, and also taking note of the submissions made by the respondent Water Authority that the delay in disbursal of the commuted value of pension amounts to the petitioners is only on account of the financial crunch faced by the respondent Authority, I dispose the writ petition with a direction to the

respondent Authority to disburse the commuted value of pension amounts that are due to the petitioners, within a period of two months from the date of receipt of a copy of this judgment. I make it clear that if the amounts directed to be paid are not paid within the period mentioned above, then the said payments shall carry interest @ 6% interest on expiry of the period of two months referred to above till the date of actual disbursal of the amounts to the petitioners.

A.K.JAYASANKARAN NAMBIAR
JUDGE

prp