

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

MONDAY, THE 22ND DAY OF JUNE 2015/1ST ASHADHA, 1937

WP(C).NO. 16852 OF 2015 (F)

PETITIONER(S):

M JANAKI
W/O.AMBU (LATE), MATTUMMAL HOUSE, KANNICHIRA
THAIKADAPPURAM, KASARAGOD.

BY ADV. SRI.M.V.AMARESAN

RESPONDENT(S):

1. COMPTROLLER, KERALA AGRICULTURE UNIVERSITY
VELLANIKKARA, THRISSUR, PIN-680 656.

2. SECRETARY TO GOVERNMENT
DEPARTMENT OF FINANCE (PRC C), THIRUVANANTHAPURAM
PIN-695 001.

R1-R2 BY ADV. SRI.BABU VARGHESE (SR.)
R1-R2 BY ADV. SRI.ALEXANDER.C.V., SC, KERALA STATE FINANCIAL
ENTERPRISES
BY GOVERNMENT PLEADER SMT.LOWSY.A
BY SRI.BABU JOSEPH KURUVATHAZHA,SC,

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
22-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).NO. 16852 OF 2015 (F)

APPENDIX

PETITIONER(S) ' EXHIBITS

P1 - TRUE COPY OF REPLY BEARING NO. PEN.D/5696/2011 DATED 15.05.2015
ISSUED BY THE RESPONDENT TO THE PETITIONER UNDER RIGHT TO INFORMATION.

P2 - TRUE COPY OF INTERIM ORDER DATED 16.08.2012 IN WP(C).NO.17778/2012
PASSED BY THIS HON'BLE COURT.

RESPONDENT(S) ' EXHIBITS:NIL

//TRUE COPY//

P.A TO JUDGE

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C).No.16852 of 2015

.....
Dated this the 22nd day of June, 2015

J U D G M E N T

The petitioner, who retired as a permanent labourer from the services of the respondent University, is aggrieved by by the inaction on the part of the respondent university to pay an amount of Rs.12,060/-, which represents the Dearness Allowance dues to which the petitioner is entitled. The learned Standing counsel for the respondent University would submit, on instructions, that while there is no dispute with regard to the entitlement of the petitioner to the said sum, the respondent has not been able to pay the amount to the petitioner only on account of a financial stringency faced by them.

2. I have heard the learned counsel for the petitioner and the learned Standing counsel for the respondent University.

On a consideration of the facts and circumstances of the case and also the submissions made across the bar and taking note of the fact that the petitioner is a retired labourer who retired from service in 2012, the admitted dues to the the petitioner have to be paid expeditiously. Accordingly, there will be a direction to the respondent

University to pay an amount of Rs.12,060/-, representing as Dearness Allowance dues, to the petitioner within a period of three weeks from today. I make it clear that, if the said amount is not paid to the petitioner within the time indicated above, the said sum shall carry interest at the rate of 6% per annum for the period immediately thereafter, till the date of actual disbursement.

A.K.JAYASANKARAN NAMBIAR
JUDGE

mns