

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

WEDNESDAY, THE 24TH DAY OF JUNE 2015/3RD ASHADHA, 1937

WP(C).NO. 17733 OF 2015 (N)

PETITIONER(S) :

V.C. LILLY

RETIRED SANITATION WORKER, MAVELIKKARA MUNICIPALITY
MAVELIKKARA(PARAKKATTU, KANJIRAMCHIRA, ALAPPUZHA).

BY ADVS.SRI.K.SASIKUMAR

SRI.S.ARAVIND

RESPONDENT(S) :

1. MAVELIKKARA MUNICIPALITY
REPRESENTED BY ITS SECRETARY, MAVELIKKARA - 690 101.

2. DIRECTOR OF URBAN AFFAIRS
GOVERNMENT OF KERALA, THIRUVANANTHAPURAM -695 001.

BY GOVERNMENT PLEADER SMT.LOWSY.A

BY SRI.RASHEED.C, SC, MAVELIKKARA MUNICIPALITY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
24-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).NO. 17733 OF 2015 (N)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXT.P-1: A TRUE COPY OF THE ORDER DATED 12.1.2015 ISSUED BY THE IST
RESPONDENT

RESPONDENT(S) ' EXHIBITS:NIL

//TRUE COPY//

P.A TO JUDGE

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C).No.17733 of 2015

.....
Dated this the 24th day of June, 2015

J U D G M E N T

The petitioner, who was a contingent sanitation worker under the respondent Municipality, retired from service on attaining the age of superannuation on 30.06.2014. Her case in the writ petition is that after her retirement, although by Ext.P1 order the respondent Municipality found her entitled to various amounts by way of retirement benefits, the said amounts were not disbursed to her even after one year. It is under these circumstances, that the writ petition has been filed.

2. Heard the learned counsel for the petitioner and the learned Standing counsel for the respondent Municipality.

On a consideration of the facts and circumstances of the case as also the submissions made across the bar, I find that, inasmuch as the amounts due to the petitioner have been admitted in Ext.P1 order by the respondent Municipality, there is no justification for the delay in disbursing the payments due to the petitioner. I take note of submission of counsel for the respondent Municipality, that the respondent Municipality is currently facing a financial crunch and it is

under these circumstances that the payment of amounts due to the petitioner is delayed. Under the circumstances, I dispose the writ petition with a direction to the respondent Municipality to disburse the amounts, found due and payable to the petitioner by Ext.P1 order, to the petitioner within a period of four 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 to the petitioner within the period mentioned above, then the said payments will 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.

A.K.JAYASANKARAN NAMBIAR
JUDGE

mns

