

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 13TH DAY OF FEBRUARY 2015/24TH MAGHA, 1936

WP(C) .No. 21155 of 2014 (T)

PETITIONER(S) :

LEELAMMA JOHN AGED 52 YEARS
W/O LATE T.T. JOHN, RESIDING AT KOCHUPARAMBIL
LAIKADU, CHEMBUMTHURUTHY, PERUNNA P.O, CHANGANACHERRY

BY ADVS.SRI.S.JAYAKRISHNAN
SRI.S.PARAMESWARA PRASAD

RESPONDENT(S) :

1. STATE OF KERALA
REPRESENTED BY THE SECRETARY, DEPARTMENT OF LOCAL
SELF GOVERNMENT(MUNICIPAL CONTINGENT SERVICE)
SECRETARIAT, THIRUVANANTHAPURAM 695001
 2. THE DIRECTOR,
OFFICE OF THE DIRECTOR DEPARTMENT OF LOCAL SELF GOVERNMENT
THIRUVANANTHAPURAM 695001
 3. THE CHANGANACHERRY MUNICIPALITY,
REPRESENTED BY ITS SECRETARY, CHANGANACHERRY 686101
 4. DEPUTY DIRECTOR,
LOCAL FUND AUDIT DEPARTMENT, CHANGANACHERRY
MUNICIPALITY, 686101
- R3 BY ADV. SRI.M.P.ASHOK KUMAR
R3 BY ADV. SMT.BINDU SREEDHAR
R3 BY ADV. SMT.R.S.MANJULA
R4 BY ADV. GOVERNMENT PLEADER: SRI M A FAYAZ

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
13-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) ' EXHIBITS :

EXHIBIT P1 TRUE COPY OF THE DEATH CERTIFICATE DATED 12-06-2012 ISSUED BY THE ARPPOOKARA GRAMA PANCHAYAT

EXHIBIT P2 TRUE COPY OF THE SERVICE CERTIFICATE NO H2-12005/13 DATED 30-08-2013 ISSUED BY THE 2nd RESPONDENT TO THE PETITIONER

EXHIBIT P3 TRUE COPY OF THE ORDER NO PF 11-1351/13 DATED 21-11-2013 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER

EXHIBIT P4 TRUE COPY OF THE REPRESENTATION DATED 10-02-2014 FILED BY THE PETITIONER BEFORE THE 3RD RESPONDENT

EXHIBIT P5 TRUE COPY OF THE REPRESENTATION DATED 20-05-2014 FILED BY THE PETITIONER BEFORE THE 2ND RESPONDENT

RESPONDENT(S) ' EXHIBITS:

EXHIBIT R4(a): TRUE COPY OF THE G.O(P) NO.96/97/LSGD DATED 03.05.1997 AND PUBLISHED AS SRO.NO.493/97

True Copy/

P A to Judge

A.MUHAMED MUSTAQUE, J.
=====

W.P(C).No.21155 of 2014
=====

Dated this the 13th day of February, 2015

JUDGMENT

Petitioner is the widow of late T.T John, an employee of Changanassery Municipality. Petitioner approached this Court on account of delay in disbursing retiral benefits. It is admitted that 2nd respondent has sanctioned the amount of provident fund. However, other benefits due to the petitioner has not been disbursed to her by the 3rd respondent.

2. Learned Standing Counsel for the third respondent submits that they are unable to pay the amount due to paucity of funds. They seek four months' time to pay the amount.

3. Petitioner submits that her daughter's marriage is scheduled in the first week of March and therefore, she requires the amount immediately.

4. Considering the facts and circumstances, there shall be a direction to the third respondent to disburse ₹2,00,000/- (Rupees Two Lakhs Only) before 28.02.2015. The balance amount shall be disbursed to the petitioner within two months thereafter. If Municipality fails to pay the amount within the time indicated above, amount will carry interest @7.5% per annum from the date of

default.

The Writ Petition is disposed of.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE.

Sbna/18/02/15