

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

WEDNESDAY, THE 19TH DAY OF AUGUST 2015/28TH SRAVANA, 1937

WP(C).No. 24646 of 2015 (E)

PETITIONER(S):

**AHMMED KUNJU, AGED 61 YEARS
KAVANATTU THEKKETHIL HOUSE, ELIPPAKULAM P.O
690 503. (RETIRED SANITATION WORKER
MAVELIKKARA MUNICIPALITY).**

**BY ADVS.SRI.K.SASIKUMAR
SRI.S.ARAVIND
SRI.R.ROHITH
SRI.K.JANARDHANA SHENOY**

RESPONDENT(S):

- 1. MAVELIKARA MUNICIPALITY
MAVELIKKARA P.O, REPRESENTED BY ITS SECRETARY
690 101.**
- 2. DIRECTOR OF URBAN AFFAIRS,
GOVERNMENT OF KERALA, THIRUVANANTHAPURAM 695 001.**

**R BY GOVERNMENT PLEADER SMT.M.J.RAJASREE
R BY SRI.RASHEED.C, SC, MAVELIKKARA MUNICIPALITY**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
19-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

WP(C).No. 24646 of 2015 (E)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1. COPY OF THE ORDER DATED 12.1.15 OF THE SECRETARY
MAVELIKKARA MUNICIPALITY.**

RESPONDENT(S)' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C).NO.24646 OF 2015 (E)

Dated this the 19th day of August, 2015

J U D G M E N T

The petitioner is a contingent worker of the respondent Municipality, who retired on superannuation on 30.9.2014. In the writ petition, it is the case of the petitioner that although certain amounts have been sanctioned to him pursuant to Ext.P1 order, other terminal benefits such as DCRG, Pension commutation and DA arrears have not been paid to him till date. It is in this connection that he has preferred this writ petition.

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

It is submitted by counsel for the respondent Municipality, on instructions, that the amounts due to the petitioner could not be paid to him only on account of the financial crunch faced by the Municipality. Taking note of the submission with regard to the financial hardship faced by the respondent Municipality, I dispose the writ petition with a direction to the respondent Municipality to effect

payment of the balance amounts due to the petitioner by way of terminal benefits, within a period of four months from the date of receipt of a copy of this judgment. I make it clear that, if the balance amounts due to the petitioner are not paid within the said period of four months, the amount shall carry interest at the rate of 9% per annum from the date immediately on expiry of the aforesaid period of four months till the date of actual disbursal to the petitioner.

A.K.JAYASANKARAN NAMBIAR
JUDGE

prp