

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

MONDAY, THE 28TH DAY OF SEPTEMBER 2015/6TH ASWINA, 1937

WP(C).No. 26334 of 2015 (N)

PETITIONER:

**K. THANKAMANI, W/O.LATE V. BALAN AGED 60 YEARS
RESIDING AT GAYATHRI NIVAS, AVERAPARAMBA, EDAKKAD
KADALAYI POST, KANNUR -670 076, KANNUR DISTRICT.**

BY ADV. SRI.R.SURENDRAN

RESPONDENTS:

- 1. THE SECRETARY, THALASSERY MUNICIPALITY
THALASSERY, PIN -670 101, KANNUR DISTRICT.**
- 2. THALASSERY MUNICIPALITY
REPRESENTED BY THE SECRETARY
THALASSERY MUNICIPALITY,THALASSERY, PIN -670 101
KANNUR DISTRICT.**
- 3. STATE OF KERALA
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT
DEPARTMENT OF URBAN AFFAIRS, SECRETARIAT
THIRUVANANTHAPURAM-695 001.**

**R1 & R2 BY ADV. SRI.I.V.PRAMOD
R3 BY PUBLIC PROSECUTOR SMT. M.J. RAJASREE**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 28-09-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

- P1 - TRUE COPY OF PROVIDENT FUND PAYMENT ORDER DATED 12.12.2011
ISSUED BY THE DIRECTOR, DEPARTMENT OF URBAN AFFAIRS,
THIRUVANANTHAPURAM.**
- P2 - TRUE COPY OF ORDER DATED 17.7.2013 ISSUED BY THE 1ST RESPONDENT.**
- P3 - TRUE COPY OF LEGAL HEIRSHIP CERTIFICATE DATED 29.6.2013 ISSUED BY
THE TAHSILDAR, KANNUR IN FAVOUR OF THE PETITIONER AND HER
CHILDREN.**
- P4 - TRUE COPY OF NON-REMARRIAGE CERTIFICATE DATED 11.10.2013 ISSUED
BY THE VILLAGE OFFICER, EDAKKAD.**
- P5 - TRUE COPY OF ORDER DATED 28.10.2013 ISSUED BY THE FIRST
RESPONDENT.**
- P6 - TRUE COPY OF APPLICATION DATED 9.6.2015 FILED BY THE PETITIONER
BEFORE THE STATE PUBLIC INFORMATION OFFICER OF SECOND
RESPONDENT.**
- P7 - TRUE COPY OF REPLY DATED 1.7.2015 ISSUED BY THE STATE PUBLIC
INFORMATION OFFICER OF SECOND RESPONDENT TO THE PETITIONER.**

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A. TO JUDGE

JJJ

K. VINOD CHANDRAN, J.

W.P.(C) No. 26334 of 2015 (N)

Dated this the 28th day of September, 2015

J U D G M E N T

The petitioner, widow of Sri.V. Balan, who was a Municipality contingent worker, seeks disbursement of retirement benefits, commutation of pension and D.A. arrears.

2. The learned Standing Counsel appearing for the Municipality submits that the payment is not made only due to the financial stringency of the Municipality.

3. In any event, the retired employee's widow and children have to survive and in such circumstance, the Municipality shall pay 50% of the amounts due within three months and the balance 50% shall be paid within three months thereafter.

Writ Petition is disposed of with the above direction.

Sd/-
K.VINOD CHANDRAN,
JUDGE