

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRA

FRIDAY, THE 18TH DAY OF SEPTEMBER 2015/27TH BHADRA, 1937

WP(C).No. 28441 of 2015 (E)

PETITIONER:

**P.P. ANTONY, AGED 63 YEARS,
S/O PATHROSE, PULIMOTTILPARAMBIL HOUSE,
PANAYAPPILLY, COCHIN - 682 002.**

**BY ADVS.SRI.JIMMY GEORGE (VATTATHARA)
SRI.T.JEEJAN**

RESPONDENT:

- 1. CORPORATION OF KOCHI,
REPRESENTED BY ITS SECRETARY,
KOCHI CORPORATION, ERNAKULAM - 682 011.**
- 2. DIRECTOR OF MUNICIPALITIES,
OFFICE OF THE DIRECTORATE OF MUNICIPALITIES,
THIRUVANANTHAPURAM - 695 001.**
- 3. REGIONAL PROVIDENT FUND COMMISSIONER,
BHAVISHYANIDHI BHAVAN, P.B.NO. 1016, PATTOM,
THIRUVANANTHAPURAM - 695 004.**
- 4. STATE OF KERALA,
REPRESENTED BY SECRETARY,
LOCAL SELF GOVERNMENT DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM - 695 001**

**R1 BY STANDING COUNSEL: SRI. V.E. ABDUL GAFOOR.
R2 & R4 BY GOVERNMENT PLEADER : SMT. LOWSY. A.
R3 BY STANDING COUNSEL : SMT.T.N.GIRIJA.**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 18-09-
2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

WP(C).No. 28441 of 2015 (E)

APPENDIX

PETITIONER(S)' EXHIBITS :

**EXHIBIT P1 : COPY OF THE PENSION PAYMENT ORDER ISSUED BY THE 1ST
RESPONDENT IN FAVOUR OF PETITIONER DATED 19.09.2012.**

**EXHIBIT P2 : COPY OF THE REPRESENTATION ISSUED BY THE PETITIONER TO
THE 1ST RESPONDENT DATED 22.07.2015.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

PA TO JUDGE

skr

ANIL K.NARENDRAN, J.

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W.P.(C). No. 28441 of 2015

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Dated this the 18th day of September, 2015

JUDGMENT

The petitioner who was working as contingent worker under the 1st respondent, Corporation of Kochi, as Cartman, retired from service on superannuation on 31.01.2012. As evident from Ext.P1 Pension Payment Order dated 19.09.2012, the petitioner has been receiving pension. While the petitioner was in service, pay revision was implemented by the Government with effect from 01.07.2009. The pay revision was implemented when he was very much in the service of the 1st respondent Corporation. But when the petitioner retired from service, he was paid Death Cum Retirement Gratuity, Commutation of pension, etc., without giving effect to the pay revision implemented with effect from 01.07.2009. Therefore the petitioner is entitled to get revised retirement benefits together with arrears of salary, pension, etc., from

01.07.2009 onwards. Highlighting the grievances, the petitioner has submitted Ext.P2 representation before the 1st respondent. In Ext.P2, the petitioner demanded differential amount due to the pay revision towards arrears of gratuity, arrears of commutation of pension and also salary arrears from 01.07.2009 till 31.01.2012 and also arrears of pension till then. According to the petitioner, Ext.P2 representation is pending consideration before the 1st respondent.

2. I heard the arguments of the learned counsel for the petitioner, the learned Standing Counsel for the 1st respondent Corporation, the learned Government Pleader appearing for respondents 2 and 4 and also the learned Standing Counsel for the Provident Fund Organisation.

3. Considering the fact that Ext.P2 representation submitted by the petitioner is pending consideration before the 1st respondent Corporation, I dispose of this writ

petition, without going into the merits of the contentions raised by the petitioner, directing the 1st respondent to consider and pass appropriate orders on Ext.P2 representation, as expeditiously as possible, at any rate within a period of two months from the date of receipt of a certified copy of this judgment, with notice to the petitioner.

Sd/-
ANIL K.NARENDRAN,
JUDGE.

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