

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRA

FRIDAY, THE 12TH DAY OF JUNE 2015/22ND JYAISHTA, 1937

WP(C).No.31475 of 2014 (H)

PETITIONER :

K.A.SASI,
AGED 64 YEARS,
S/O ANANTHU, KALATHIPARAMBU VEEDU, H.NO.12/83,
KEDAMANGALAM, N.PARAVOOR P.O.,
ERNAKULAM (RETIRED CONTINGENT WORKER,
CORPORATION OF KOCHI, KOCHI-11)

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

RESPONDENTS :

1. CORPORATION OF KOCHI
REPRESENTED BY ITS SECRETARY, KOCHI CORPORATION,
ERNAKULAM.
2. DIRECTOR OF MUNICIPALITIES,
O/O DIRECTORATE OF MUNICIPALITIES,
THIRUVANANTHAPURAM.
3. STATE OF KERALA,
REPRESENTED BY SECRETARY LOCAL SELF GOVERNMENT
DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM.

BY ADV. SRI.PRAVEEN K. JOY – SC FOR R1
BY GOVERNMENT PLEADER SMT.LOWSY.A.
BY SRI.P.K.SOYUZ,SC,COCHIN CORPORATION

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
12-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 31475 of 2014 (H)

APPENDIX

PETITIONER'S EXHIBITS :-

EXHIBIT P1: TRUE COPY OF THE PENSION PAYMENT ORDER ISSUED BY THE
ACCOUNTS OFFICER, CORPORATION OF COCHIN DATED
20.9.2010.

EXHIBIT P2: TRUE COPY OF THE REPRESENTATION ISSUED BY THE
PETITIONER TO THE 1ST RESPONDENT DATED 4.10.2014.

EXHIBIT P2(a): ENGLISH TRANSLATION OF EXT.P2.

RESPONDENTS' EXHIBITS:- NIL.

True copy

P.A to Judge

ANIL K.NARENDRA, J.

W.P.(C)No.31475 of 2014

Dated this the 12th day of June, 2015

JUDGMENT

The petitioner was working as a Contingent Worker (A.M.M Worker) under the 1st respondent-Corporation and he retired from service on superannuation on 28.2.2010. Ext.P1 pension payment order would show that a monthly pension of ₹3,016/- (after commutation of ₹1,810/-) has been sanctioned to the petitioner with effect from 1.3.2010. According to the petitioner, while he was in service pay revision was implemented by the Government with effect from 1.7.2009. When the petitioner retired from service, he was paid DCRG, commuted value of pension and arrears of pension computed upon the pre-revised pay scale. It was in such circumstances, he has submitted Ext.P2 representation before the 1st respondent claiming terminal benefits in revised scale on the basis of the pay revision orders.

2. The grievance of the petitioner in this Writ Petition is that, though Ext.P2 representation was submitted as early as on

4.10.2014, the same is still pending consideration before the 1st respondent. Therefore he is seeking various reliefs including writ of mandamus commanding the 1st respondent to consider Ext.P2 representation at the earliest.

3. I heard the learned counsel for the petitioner, the learned Standing Counsel for the 1st respondent-Corporation and also the learned Government Pleader appearing for respondents 2 and 3.

4. Considering the fact that Ext.P2 representation submitted by the petitioner is pending consideration before the 1st respondent I deem it appropriate to dispose of this Writ Petition, without going into the merits of the claim made by the petitioner.

In the result, this Writ Petition is disposed of directing the 1st respondent to consider Ext.P2 representation submitted by the petitioner and pass appropriate orders thereon, as expeditiously as possible, at any rate, within a period of one month from the date of receipt of a certified copy of this judgment, with notice to the petitioner.

ANIL K.NARENDRA, JUDGE

skj