

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 29TH DAY OF MAY 2015/8TH JYAISHTA, 1937

WP(C).No. 213 of 2008 (A)

PETITIONER(S):

KURIAN MATHEW,
PUTHENPURAYIL, PALLARIMANGALAM MURI,
THEKKEKKARA VILLAGE,
MAVELIKARA TALUK, ALAPPUZHA DISTRICT.

BY ADVS.SRI.THOMAS ABRAHAM,
SRI.DIPU R,
SMT.MERCIAMMA MATHEW.

RESPONDENT(S):

1. STATE OF KERALA,
REPRESENTED BY ITS SECRETARY, REVENUE DEPARTMENT,
GOVERNMENT OF KERALA, SECRETARIAT, TRIVANDRUM.
2. COMMISSIONER OF LAND REVENUE,
TRIVANDRUM.
3. THE DISTRICT COLLECTOR,
ALAPPUZHA.

*ADDL. R4 IMPEADED

R4. THE KERALA AGRO-INDUSTRIES CORPORATION LTD.,
KISSAN JYOTHI, FORT, TRIVANDRUM,
REPRESENTED BY ITS MANAGING DIRECTOR.

(*ADDITIONAL R4 IS IMPEADED AS PER ORDER IN IA-9916/08,
DATED 06/08/2008)

ADDL.R4 BY ADV. SRI.E.K.NANDAKUMAR
ADDL.R4 BY ADV. SRI.A.K.JAYASANKAR NAMBIAR
ADDL.R4 BY ADV. SRI.K.JOHN MATHAI
ADDL.R4 BY ADV. SRI.P.BENNY THOMAS
ADDL.R4 BY ADV. SRI.ANIL D. NAIR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 29-05-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

rvs.

APPENDIX

PETITIONER(S) ' EXHIBITS :

- EXHIBIT-P1: TRUE COPY OF THE ORDER DATED 07/08/1995 ISSUED BY THE DISTRICT COLLECTOR, ALAPPUZHA.
- EXHIBIT-P2: TRUE COPY OF THE ORDER DATED 13/11/2006 ISSUED BY THE LAND REVENUE COMMISSIONER.
- EXHIBIT-P3: TRUE COPY OF THE REVISION PETITION.
- EXHIBIT-P4: TRUE COPY OF THE WRITTEN REQUEST DATED 04/05/2007 SUBMITTED BY THE PETITIONER'S COUNSEL BEFORE THE 1ST RESPONDENT.
- EXHIBIT-P5: TRUE COPY OF THE LETTER DATED 29/05/07 ISSUED BY THE 1ST RESPONDENT.
- EXHIBIT-P6: TRUE COPY OF THE COMMUNICATION DATED 05/07/2007.
- EXHIBIT-P7: TRUE COPY OF THE COMMUNICATION DATED 13/07/2007 SENT BY THE PETITIONER'S COUNSEL TO THE 1ST RESPONDENT.
- EXHIBIT-P8: THE TRUE COPY OF THE JUDGMENT DATED 20/07/2007.
- EXHIBIT-P9: TRUE COPY OF THE ORDER ORDER DATED 17/11/2007 ISSUED BY THE 1ST RESPONDENT.

RESPONDENT(S) ' EXHIBITS :

NIL.

/TRUE COPY/

P.A.TO JUDGE

RVS.

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.213 of 2008

Dated this the 29th day of May, 2015

JUDGMENT

The petitioner was 82 years old when he filed this writ petition in the year 2008. He challenges arrest proceedings under the Revenue Recovery Act.

Considering the petitioner's age, if he is alive now, I am of the view, the Revenue Authorities shall not proceed against him for arrest for any default. However, respondents are at liberty to proceed against any movable or immovable assets belongs to the petitioner.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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