IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

TUESDAY, THE 17TH DAY OF MARCH 2015/26TH PHALGUNA, 1936

WP(C).No. 3423 of 2015 (C)

PETITIONER :

UNNICHEKKAN, AGED 68 YEARS,
S/O CHATHUNNY, PUTHIYEDATH HOUSE, KALPARAMBA,
POOMANGALAM VILLAGE, MUKUNDAPURAM TALUK,
THRISSUR DISTRICT.

BY ADVS.SRI.G.SREEKUMAR (CHELUR)
SRI.N.L.BITTO

RESPONDENT(S):
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1. STATE OF KERALA,
   REP. BY SECRETARY TO THE GOVERNEMNT,
   REVENUE DEPARTMENT, GOVERNMENT SECRETARIAT,
   THIRUVANANTHAPURAM-695 001.

2. THE DISTRICT COLLECTOR,
   COLLECTORATE, AYYANTHOLE, THRISSUR-680 001.

3. THAHASILDAR,
   MUKUNDAPURAM TALUK OFFICE, CIVIL STATION,
   IRINJALAKUDA, THRISSUR DISTRICT-680 001.

4. VILLAGE OFFICER,
   POOMANGALAM VILLAGE, KALPARAMBA,
   THRISSUR DISTRICT-680 001.

R1 TO R4 BY GOVERNMENT PLEADER SRI.SHYSON P. MANGUZHA

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 17-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

sts

WP(C).No. 3423 of 2015 (C)

<u>APPENDIX</u>

PETITIONER(S)' EXHIBITS

EXHIBIT P1: A TRUE COPY OF THE BASIC TAX RECEIPT NO.6086170 DATED 31.1.2015 ISSUED BY THE VILLAGE OFFICER POOMANGALAM.

EXHIBIT P2: A TRUE COPY OF EXECUTION PETITION I.A.193/2014 IN OP(MV) 592/2008 BEFORE THE MOTOR ACCIDENT TRIBUNAL IRINJALAKUDA DATED 15/1/2014.

EXHIBIT P3: A TRUE COPY OF DEMAND NOTICE NO.2014/14894/8/300 ISSUED FROM TALUK OFFICE IRINJALAKUDA DATED 4.12.2014.

RESPONDENT(S)' EXHIBITS: **NIL**

/TRUE COPY/

P.S.TO.JUDGE

sts

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C).NO.3423 OF 2015 (C)

Dated this the 17th day of March, 2015

J U D G M E N T

The petitioner had approached this Court through the present writ petition alleging that the petitioner's property was being proceeded against, through proceedings initiated under the Kerala Revenue Recovery Act, in respect of the dues that were owing to the respondents from the petitioner's son. A counter affidavit has now been filed on behalf of the 3rd respondent, wherein it is stated that the proceedings under the Revenue Recovery Act are being continued only against the petitioner's son and not against the petitioner. It is averred in the counter affidavit that the respondents will proceed only against the properties of the defaulter for the recovery of the dues. Recording the said averments, in the counter affidavit filed by the 3rd respondent, the writ petition is closed making it clear that the respondents will proceed only against the properties of the defaulter and not against the personal properties of the petitioner.

A.K.JAYASANKARAN NAMBIAR
JUDGE

prp