

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

WEDNESDAY, THE 4TH DAY OF FEBRUARY 2015/15TH MAGHA, 1936

WP(C).No. 3482 of 2015 (I)

PETITIONER :

**NOUSHAD ALI, S/O.HAMZA HAJI,
NOTTALAN HOUSE, OTHUKUNGAL POST,
MALAPPURAM DISTRICT,PIN-676 505**

BY ADV. SRI.JOSEPH SEBASTIAN PURAYIDAM

RESPONDENT(S):

- 1. THE DISTRICT COLLECTOR,
MALAPPURAM, COLLECTORATE,
MALAPPURAM DISTRICT,PIN-676 505**
- 2. DEPUTY TAHSILDAR, REVENUE RECOVERY,
THIRURANGADI TALUK, MALAPPURAM DISTRICT,PIN-676 306**
- 3. THE VILLAGE OFFICER, OTHUKUNGAL VILLAGE,
THIRURANGADI TALUK, MALAPPURAM DISTRICT,PIN-676 306.**

R1 TO R3 BY GOVERNMENT PLEADER SRI.SHYSON P. MANGUZHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 04-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).NO.3482/2015

APPENDIX

PETITIONER'S EXHIBITS:

- P1 COPY OF THE NOTICE DATED 24/11/2014 ISSUED BY THE 1ST RESPONDENT TO THE PETITIONER FOR ATTACHMENT OF MOVABLES OF THE PETITIONER.
- P2 COPY OF THE DEMAND NOTICE DATED 24/11/2014 ISSUED BY THE SECOND RESPONDENT TO THE PETITIONER.
- P3 COPY OF THE AWARD PASSED BY THE MOTOR ACCIDENT CLAIMS TRIBUNAL MANJERI, IN O.P(MV)NO.299/2010.

RESPONDENT'S EXHIBITS: NIL

/TRUE COPY/

P.A.TO.JUDGE

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A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C) No.3482 of 2015 (I)

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Dated this the 4th day of February, 2015

JUDGMENT

The petitioner, who is faced with revenue recovery steps initiated by the respondents, for recovery of dues pursuant to an award passed by the Motor Accident Claims Tribunal, Manjeri, has approached this Court with the present writ petition, seeking for the grant of installments for effecting payment of the amounts that are now demanded from him.

2. I have heard Sri.Joseph Sebastian Purayidam, learned counsel appearing for the petitioner and Sri.Shyson P.Manguzha, learned Government Pleader appearing on behalf of the respondents.

3. On a consideration of the facts and circumstances of the case as also the submissions made across the Bar, and the plea of financial hardship raised on behalf of the petitioner, I dispose the writ petition with the following directions :

(i) The total amount due from the petitioner is stated to be Rs.1,85,719/- together with accrued interest and collection charges. Accordingly, if the petitioner remits the said amount of Rs.1,85,719/- together with accrued interest and collection charges in eight equal and successive monthly installments commencing from 20.02.2015; then, the recovery steps pursuant to Exts.P1 and P2 shall be kept in abeyance.

(ii) It is made clear that, if the petitioner defaults in any one installment, then he will lose the benefit of this judgment and the recovery steps initiated against him shall be continued from the stage where it stands now.

(iii) The petitioner shall produce a copy of the judgment along with a copy of the writ petition before the concerned respondent for further steps.

The writ petition is disposed as above.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE

AMV/04/02/

