

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

WEDNESDAY, THE 11TH DAY OF FEBRUARY 2015/22ND MAGHA, 1936

WP(C).No. 4421 of 2015 (C)

PETITIONER :

**SHUKKOOR M.A.
SON OF MAJEED, 173, AISHA MANZIL
CANTONMENT SOUTH, KOLLAM-691001.**

**BY ADVS.SRI.JOHNSON GOMEZ
SRI.S.BIJU (KIZHAKKANELA)**

RESPONDENTS :

- 1. THE DISTRICT COLLECTOR
COLLECTORATE, KOLLAM-691013.**
- 2. THE DEPUTY TAHSILDAR (REVENUE RECOVERY)
KOLLAM, PIN 691001.**
- 3. THE BRANCH MANAGER
SYNDICATE BANK, KOLLAM BRANCH, KOLLAM
PIN 691001.**

**R1 & R2 BY GOVT. PLEADER SRI. SHYSON P. MANGUZHA
R3 BY ADV. SRI.R.S. KALKURA, SC**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 11-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

...2/-

WP(C).No. 4421 of 2015 (C)

APPENDIX

PETITIONERS' EXHIBITS :

**EXHIBIT P1- A TRUE COPY OF THE STATEMENT OF ACCOUNTS ISSUED BY THE
THIRD RESPONDENT.**

**EXHIBIT P2- A TRUE COPY OF THE DEMAND DATED 4-11-2014 ISSUED BY THE
SECOND RESPONDENT TO THE PETITIONER.**

**EXHIBIT P3- A TRUE COPY OF THE DEMAND PRIOR TO ATTACHMENT OF LAND
ISSUED BY THE SECOND RESPONDENT TO THE PETITIONER
DATED 4-11-2014.**

**EXHIBIT P4- A TRUE COPY OF THE OBJECTION SUBMITTED BY THE PETITIONER
BEFORE THE SECOND RESPONDENT DATED 22-1-2015.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C).No.4421 of 2015
.....

Dated this the 11th day of February, 2015

JUDGMENT

The limited prayer of the petitioner in the writ petition is for a direction to the 2nd respondent to consider and pass orders on Ext.P4 objection that has been filed by the petitioner in terms of Section 34 (2) of the Kerala Revenue Recovery Act. The contention of the petitioner is that the demand notice served on him pertains to a debt which has become time barred, and he has brought this to the notice of the 2nd respondent through Ext.P4 representation

2. I have heard Sri.Johnson Gomez, the learned counsel for the petitioner, Sri.R.S.Kalkura, for 3rd respondent and learned Government Pleader Sri.Shyson P.Manguzha, for the respondents 1 and 2.

On a consideration of the facts and circumstances of the case as also the submissions made across the bar, I dispose the writ petition with a direction to the 2nd respondent to consider and pass orders on Ext.P4 objection within a period of one month from the date of receipt of a copy of this judgment, after hearing the petitioner. The recovery steps initiated against the petitioner

through Exts.P2 and P3 notices shall be kept in abeyance till such time as the 2nd respondent passes orders as directed, and communicates the same to the petitioner.

A.K.JAYASANKARAN NAMBIAR
JUDGE

mns/

