

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

THURSDAY, THE 12TH DAY OF FEBRUARY 2015/23RD MAGHA, 1936

WP(C).No. 4507 of 2015 (K)

PETITIONER(S) :

**JOHN, AGED 65 YEARS,
S/O.AKKARA FRANCIS, PRADHITHA ROAD,
KURIACHIRA P.O- 686 006, THRISSUR.**

**BY ADVS.SRI.K.G.BALASUBRAMANIAN
SMT.AMBILY (PREMKUMAR)**

RESPONDENT(S) :

- 1. JOSEPH, AGED ABOUT 49,
S/O.KIDANGAN JOHNNY, OLLUKKARA P.O- 680 655,
THRISSUR.**
- 2. THE TAHSILDAR (RR),
CIVIL STATION, AYYANTHOLE P.O- 680 003,
THRISSUR.**

R2 BY GOVERNMENT PLEADER SRI.SHYSON.P.MANGUZHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 12-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Msd.

WP(C).No. 4507 of 2015 (K)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1: TRUE COPY OF FORM I NOTICE (VIDE FILE NO.2014/68179/8 AND
2014/5318/8/600) DATED 27.11.2014.**

**EXHIBIT P2: TRUE COPY OF FORM 10 NOTICE (VIDE FILE NO.2014/68179/8 AND
2014/5318/8/600) DATED 27.11.2014.**

**EXHIBIT P3: TRUE COPY OF PROCEEDINGS OF THE SECOND RESPONDENT
RR8-5318/14 DATED 10.02.2014.**

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C) No.4507 of 2015 (K)

.....
Dated this the 12th day of February, 2015

JUDGMENT

The petitioner, who is facing revenue recovery action for realisation of the compensation amount that was awarded against him by the Motor Accident Claims Tribunal, Thrissur, has approached this Court challenging the revenue recovery notice. The limited prayer of the petitioner in the writ petition is for the grant of installments to discharge the liability.

2. I have heard Sri.K.G.Balasubramanian, learned counsel for the petitioner and Sri.Shyson P.Manguzha, learned Government Pleader appearing on behalf of the 2nd respondent.

3. On a consideration of the facts and circumstances of the case and also the submissions made across the Bar, I dispose the writ petition with the following directions :

(i) The total liability of the petitioner is stated to be an amount of Rs.6,20,000/- together with accrued interest and collection charges. Accordingly, if the petitioner remits the amount of Rs.6,20,000/- together with accrued interest and collection charges in six equal and successive monthly installments commencing from 01.03.2015; then, the recovery proceedings for recovery of the said tax dues 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 respondent concerned for further steps.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE

AMV/12/02/