

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR**

**WEDNESDAY, THE 18TH DAY OF FEBRUARY 2015/29TH MAGHA, 1936**

**WP(C).No. 4749 of 2015 (P)**  
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**PETITIONER(S):**  
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**A.K. NOORUDHEEN SHAH, AGED 50 YEARS  
S/O.KUNJUMON, M/S.SHAH ADVERTISERS  
KADAVANTHODE BUILDING, WEST PALACE ROAD  
NEAR BHIMA BUILDING, NORTH BUS STAND, THRISSUR.**

**BY ADV. SRI.ZAKEER HUSSAIN**

**RESPONDENT(S):**  
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- 1. STATE OF KERALA  
REPRESENTED BY ITS SECRETARY, REVENUE DEPARTMENT  
SECRETARIAT, THIRUVANANTHAPURAM 695001.**
- 2. DEPUTY TAHSILDAR  
REVENUE RECOVERY, TALUK OFFICE, CHAVAKKAD 680506.**
- 3. VILLAGE OFFICER  
THAILIKKULAM VILLAGE, THALIKKULAM 680 569.**
- 4. PALAKKAD MUNICIPALITY  
REPRESENTED BY ITS SECRETARY, PALAKKAD 678014.**

**R1-3 BY GOVERNMENT PLEADER SRI.SUDHEESH KUMAR  
R4 BY ADVS. SRI.T.C.SURESH MENON  
SRI.P.S.APPU**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 18-02-2015, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:**

**PJ**

**APPENDIX**

**PETITIONER(S)' EXHIBITS**  
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- P1: TRUE COPY OF THE AGREEMENT DATED 10.12.2009**
- P2: TRUE COPY ORDER DATED 20.08.2010 ISSUED BY THE 4TH RESPONDENT**
- P3: TRUE COPY AUTHORIZATION DATED 05.04.2011 ISSUED BY THE 4TH RESPONDENT**
- P4: TRUE COOPY OF THE ORDER DATED 18.10.2012 ISSUED BY THE 4TH RESPONDENT**
- P5: TRUE COPY OF THE DEMAND NOTICE DATED 11.11.2014 ISSUED BY THE 2ND RESPONDENT**
- P6: TRUE COPY OF THE DEMAND NOTICE DATED 11.11.2014 ISSUED BY THE 2ND RESPONDENT**
- P7: TRUE COPY OF THE REPRESENTATION DATED 09.12.2014 SUBMITTED BY THE PETITIONER**
- P8: TRUE COPY OF THE ORDER DATED 17.12.2014 OF THE 1ST RESPONDENT**
- P9: TRUE COPY OF THE RECEIPT DATED 18.12.2015 ISSUED BY THE 3RD RESPONDENT**

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

**/ TRUE COPY /**

**P.S. TO JUDGE**

**PJ**

**A.K.JAYASANKARAN NAMBIAR, J.**

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W.P.(C).No.4749 of 2015

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Dated this the 18<sup>th</sup> day of February, 2015

**J U D G M E N T**

The limited prayer urged on behalf of the petitioner at the time of admission of the writ petition, is for a direction to the 4<sup>th</sup> respondent to consider and pass orders on Ext.P7 representation that has been filed by the petitioner before him, within a stipulated time and to keep the revenue recovery proceedings in abeyance till such time as orders are passed by the 4<sup>th</sup> respondent.

2. I have heard Sri.Zakir Hussain, the learned counsel for the petitioner and Sri.Suresh Menon T.C., the learned Standing counsel for the 4<sup>th</sup> respondent and the learned Government Pleader for respondents 1 to 3.

On a consideration of the facts and circumstances of the case as also the submissions made across the bar, and taking note of the factual aspects which are disputed in the present writ petition, I direct the 4<sup>th</sup> respondent Municipality to consider and pass orders on Ext.P7 representation preferred by the petitioner, after hearing the petitioner, within a period of three weeks from the date of receipt of a copy of this judgment. I make it clear that till such

time as orders are passed by the 4<sup>th</sup> respondent as directed and communicated to the petitioner, revenue recovery proceedings initiated against the petitioner through Exts.P5 and P6 notices shall be kept in abeyance.

**A.K.JAYASANKARAN NAMBIAR**  
**JUDGE**

mns/

