

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

TUESDAY, THE 24TH DAY OF FEBRUARY 2015/5TH PHALGUNA, 1936

WP(C).No. 5876 of 2015 (H)

WRIT PETITIONER:

**K.C.GEORGE, S/O.MATHAI CHACKO,AGED 70 YEARS,
AZHAKATHU VEEDU, KANJEETTUKARA.P.O.,
AYIROOR SOUTH, PATHANAMTHITTA DISTRICT.**

**BY ADVS.SRI.ARUN.B.VARGHESE
SRI.JAYKAR.K.S.
SMT.M.B.DHANYA BABU**

RESPONDENTS:

- 1. THE DISTRICT COLLECTOR,
DISTRICT COLLECTORATE, PATHANAMTHITTA-689 645.**
- 2. THE VILLAGE OFFICER,
AYIROOR VILLAGE OFFICE, AYIROOR,
PATHANAMTHITTA DISTRICT-689 645.**
- 3. FRANCIS.C.V,
S/O.V.C.VARAPPAN, CHIRAYATHU VEEDU, VENPALA,
KUTTUR, THIRUVALLA-689 101.**

R1 & R2 BY GOVERNMENT PLEADER SRI.SHYSON P. MANGUZHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 24-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).No. 5876 of 2015 (H)

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1	TRUE COPY OF THE FORM NO.10 ISSUED TO THE WRIT PETITIONER UNDER THE REVENUE RECOVERY ACT
EXT.P2	TRUE COPY OF THE AWARD DATED 6/4/2013 IN O.P(MV)NO.758/2005 OF THE MOTOR ACCIDENT CLAIMS TRIBUNAL, PATHANAMTHITTA.
EXT.P3	TRUE COPY OF THE REPRESENTATION DATED 1/2/2015 SUBMITTED BEFORE THE FIRST RESPONDENT.

RESPONDENT(S)' EXHIBITS: -----	NIL
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/TRUE COPY/

P.A.TO.JUDGE

sts

A.K.JAYASANKARAN NAMBIAR, J.

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W.P.(C).No.5876 of 2015

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Dated this the 24th day of February, 2015

J U D G M E N T

The limited prayer of the petitioner, against whom recovery proceedings have been initiated for recovery of the amounts confirmed against him by an award of Motor Accidents Claims Tribunal, Pathanamthitta, is for the grant of instalments to discharge the liability due to the respondents.

2. I have heard Sri.Arun B.Varghese, the learned counsel for the petitioner and Sri.Shyson P.Manguzha, the learned Government Pleader on behalf of the official respondents.

3. On a consideration of the facts and circumstances of the case as also the submissions made across the bar, and taking into account the plea of financial hardship urged by the petitioner, I dispose the writ petition with the following directions:

i. The total amount outstanding from the petitioner to the respondents is stated to be Rs.1,43,983/- together with accrued interest and other charges. Accordingly, if the petitioner pays the aforesaid amount of Rs.1,43,983/-, together with accrued interest and other charges, in six equal successive monthly instalments commencing from 05.03.2015, then further proceedings for

recovery shall be kept in abeyance.

ii. It is made clear that if the petitioner commits a default in respect of any of the instalments, he will lose the benefit of this judgment and the respondents will be free to continue the recovery proceedings against him from the stage at which they presently stand.

A.K.JAYASANKARAN NAMBIAR
JUDGE

mns

