

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

WEDNESDAY, THE 25TH DAY OF FEBRUARY 2015/6TH PHALGUNA, 1936

WP(C).No. 6012 of 2015 (B)

PETITIONER:

**PERUMBAVOOR PLYWOOD MANUFACTURERS
CONSORTIUM PVT. LTD., SIDCO INDUSTRIAL PARK,
ANGAMALY SOUTH, PIN - 683 573,
REPRESENTED BY ITS MANAGING DIRECTOR
V.M.ALIYAR, S/O.MEERAN VADAKKEKKUDY,
VALLAMJARAM CHELAMATTOM VILLAGE,
PERUMBAVOOR, ERNAKULAM.**

**BYDR.K.B.MUHAMED KUTTY (SENIOR ADVOCATE)
ADVS. SRI.K.M.FIROZ
SMT.M.SHAJNA
SRI.S.KANNAN**

RESPONDENT(S):

- 1. THE TAHSILDAR, TALUK OFFICE,
KUNNATHUNAD, PERUMBAVOOR,
ERNAKULAM DISTRICT - 683 542.**
- 2. THE LAND REVENUE COMMISSIONER,
LAND REVENUE COMMISSIONERATE,
OPPOSITE MUSEUM, THIRUVANANTHAPURAM - 695 001.**
- 3. THE VILLAGE OFFICER, VENGOL, PERUMBAVOOR - 683 542.**
- 4. THE DISTRICT COLLECTOR, ERNAKULAM DISTRICT - 682 030.**
- 5. THE COMMERCIAL TAX OFFICER,
COMMERCIAL TAX OFFICE, 1ST CIRCLE,
PERUMBAVOOR - 683 542.**
- 6. THE SUB REGISTRAR, SUB REGISTRAR OFFICE,
PERUMBAVOOR - 683 542.**

BY GOVERNMENT PLEADER SRI.SUDHEESH KUMAR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 25-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

APPENDIX

PETITIONER'S EXHIBITS:

- EXHIBIT P1 : A TRUE COPY OF THE ORDER DATED 23.10.2014 BEARING NO.D4-11851/2013 ISSUED BY THE FIRST RESPONDENT UNDER SECTION 44 OF THE REVENUE RECOVERY ACT.
- EXHIBIT P2 : A TRUE COPY OF THE REVISION PETITION SUBMITTED BY THE PETITIONER BEFORE THE SECOND RESPONDENT DATED 20.2.2015.
- EXHIBIT P3 : A TRUE COPY OF THE STAY PETITION SUBMITTED BY THE PETITIONER BEFORE THE SECOND RESPONDENT DATED 20.2.2015.
- EXHIBIT P4 : A TRUE COPY OF THE SALE NOTICE IN FORM NO.16 DATED 21.1.2015 ISSUED BY THE FIRST RESPONDENT.
- EXHIBIT P5 : A TRUE COPY OF THE SALE DEED NO.5038/1/03 OF SUB REGISTRAR OFFICE, PERUMBAVOOR.
- EXHIBIT P6 : A TRUE COPY OF THE SALE DEED DATED 3.1.2002 OF SUB REGISTRAR OFFICE, PERUMBAVOOR.
- EXHIBIT P7 : A TRUE COPY OF JUDGMENT OF HON'BLE HIGH COURT OF KERALA IN WRIT PETITION © NO.13185/2009.
- EXHIBIT P8 : A TRUE COPY OF THE JUDGMENT OF HON'BLE HIGH COURT OF KERALA IN WRIT APPEAL NO.1045/2013.

RESPONDENT'S EXHIBITS: - NIL

/TRUE COPY/

P.S. TO JUDGE

mbr/

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C).NO. 6012 OF 2015 (B)

Dated this the 25th day of February, 2015

J U D G M E N T

Against Ext.P1 order, the petitioner preferred Ext.P2 revision petition and Ext.P3 stay petition under the Revenue Recovery Act before the 4th respondent. The grievance of the petitioner is that even before the stay petition has been considered by the 2nd respondent, proceedings against the property of the petitioner are being continued by the respondents.

2. Heard Sri.K.B.Mohamedkutty, the learned senior counsel appearing for the petitioner and Sri.Sudheesh Kumar, the learned Government Pleader appearing for the respondents.

3. 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 the following directions:

1. The 2nd respondent shall consider and pass orders on Ext.P2 revision petition within a period of two months from the date of receipt of a copy of this judgment, after hearing the petitioner.

2.It is made clear that proceedings under the Revenue Recovery Act against the property of the petitioner shall be kept in abeyance till orders are passed by the 2nd respondent as directed above and communicated to the petitioner.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE