

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

FRIDAY, THE 20TH DAY OF MARCH 2015/29TH PHALGUNA, 1936

WP(C).No. 6450 of 2015 (E)

PETITIONER(S) :

**M/S. ANDERSON INDUSTRIES INTERNATIONAL LIMITED,
REPRESENTED BY ITS DIRECTOR, C.RAJARAM, AGED 50 YEARS,
SON OF RAJA CHAKRAPANI, REGISTERED OFFICE,
27 EDAYANCHAVADI ROAD, KARUVADIKKUPPAN,
PONDICHERRY - 605 008.**

**BY ADVS.SRI.B.ASHOK SHENOY
SMT.C.G.PREETHA
SRI.K.V.GEORGE
SRI.P.N.RAJAGOPALAN NAIR
SRI.P.S.GIREESH**

RESPONDENT(S) :

- 1. THE ASSISTANT COMMISSIONER - II,
COMMERCIAL TAXES, KOLLAM - 691 001.**
- 2. THE TAHSILDAR (REVENUE RECOVERY),
KOLLAM - 691 008.**
- 3. MVR EXPORTS PRIVATE LIMITED,
REPRESENTED BY ITS DIRECTOR, 24 GST ROAD, GUINDY,
CHENNAI - 600 032.**

*** ADDITIONAL R4 IMPEADED**

- 4. THE DISTRICT COLLECTOR,
CIVIL STATION, KOLLAM- 691 013.**

*** ADDITIONAL R4 IS IMPEADED AS PRE ORDER DATED 20.03.2015 IN
I.A.NO.4123 OF 2015**

R1, R2 & R4 BY GOVERNMENT PLEADER SRI.SHYSON.P.MANGUZHA

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 20-03-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

Msd.

WP(C).No. 6450 of 2015 (E)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXT.P1: TRUE COPY OF REGISTERED LEASE DEED NO.2756 OF 1996
DATED 25/07/1996 OF KILIKOLLOOR SUB REGISTRY EXECUTED IN
FAVOUR OF THE PETITIONER BY THE 3RD RESPONDENT.**

**EXT.P2: TRUE COPY OF NOTICE OF SALE OF IMMOVABLE PROPERTY IN
FORM NO.16 DATED 28/01/2015 ISSUED BY THE 2ND
RESPONDENT.**

**EXT.P3: TRUE COPY OF OBJECTION DATED 24/02/2015 FILED BY
PETITIONER BEFORE 2ND RESPONDENT.**

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.S.TO JUDGE.

Msd.

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C).NO.6450 OF 2015 (E)

Dated this the 20th day of March, 2015

J U D G M E N T

The limited prayer of the petitioner in the writ petition is for a direction to the additional 4th respondent to consider and pass orders on Ext.P3 objection that has been preferred by the petitioner before the 2nd respondent Tahsildar (Revenue Recovery).

2. I have heard the learned counsel appearing for the petitioner as also the learned Government Pleader appearing for the respondents.

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 additional 4th respondent to consider and pass orders on Ext.P3 objection, that has been filed by the petitioner before the 2nd respondent, but ought to have been filed before the Additional 4th respondent. The additional 4th respondent shall pass orders as directed, after hearing the petitioner as well as the 3rd respondent,

within a period of two months from the date of receipt of a copy of this judgment. The petitioner shall produce a copy of this judgment, along with a copy of the writ petition, before the additional 4th respondent so as to enable the additional 4th respondent to comply with the directions in this judgment.

A.K.JAYASANKARAN NAMBIAR
JUDGE

prp