

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR

MONDAY, THE 2ND DAY OF MARCH 2015/11TH PHALGUNA, 1936

WP(C).No.6557 of 2015 (T)

PETITIONER:

**PRAMOD,S/O.PARAMESWARAN ACHARI,
KUTTIVILA VADAKKETHIL,KUDASSANADU P.O.,
PALAMEL VILLAGE,ALLEPPEY,KERALA.**

BY ADV. SRI.C.B.SREEKUMAR

RESPONDENTS:

- 1. THE DISTRICT COLLECTOR,ALAPPUZHA-681006.**
- 2. THE DEPUTY TAHSILDAR,REVENUE RECOVERY,
TALUK OFFICE,MAVELIKKARA-690012.**

BY GOVT. PLEADER SRI.SUDHEESH KUMAR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 02-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

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WP(C).No.6557 of 2015 (T)

APPENDIX

PETITIONER'S EXHIBITS:

**EXHIBIT P1: COPY OF THE RECEIPT DATED 15.7.2013 ISSUED FROM THE
PALAMEL VILLAGE ACKNOWLEDGING THE REMITTANCE OF
RS.29,018/-.**

**EXHIBIT P2: COPY OF THE DEMAND NOTICE NO.BB-08/15/MISC.DATED 20.1.2015
UNDER SECTION 7 OF THE REVENUE RECOVERY ACT FOR
RS.1,79,368/-.**

**EXHIBIT P2(a): COPY OF THE DEMAND NOTICE NO.B8-08/15/M9SC.
DATED 20.1.2015 UNDER SECTION 34 OF THE REVENUE RECOVERY
ACT FOR RS.1,79,368/-.**

**EXHIBIT P3: COPY OF THE REPRESENTATION DATED 23.2.2015 SUBMITTED BY
THE PETITIONER BEFORE THE 1ST RESPONDENT.**

RESPONDENT'S EXHIBITS:

NIL

//TRUE COPY//

P.S. TO JUDGE

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A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C) No.6557 of 2015 (T)

.....
Dated this the 2nd day of March, 2015

JUDGMENT

The petitioner, who is faced with revenue recovery proceedings for recovery of the amount confirmed against him by an award of Motor Accident Claims Tribunal, Pathanamthitta, has approached this Court seeking grant of installments to discharge the liability to the respondents. Exts.P2 and P2(a) are notices issued to the petitioner under the Revenue Recovery Act for recovery of the aforesaid amount.

2. I have heard Sri.C.B.Sreekumar, the learned counsel for the petitioner and Sri.Sudheesh Kumar, learned Government Pleader for the respondents.

3. On a consideration of the facts and circumstances of the case and also the submissions made across the Bar and in particular the plea of financial hardship urged on behalf of the petitioner, I dispose the writ petition with the following directions :

(i) If the petitioner pays the total amount of Rs.1,79,368/- together with interest and other charges as demanded in Exts.P2 and P2(a) notices in six equal and successive monthly installments commencing from 20.03.2015, then, further proceedings against the petitioner 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 concerned respondent for further steps.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE

AMV/03/03/