

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 6TH DAY OF AUGUST 2015/15TH SRAVANA, 1937

WP(C).No. 6917 of 2015 (L)

PETITIONER :

**J.SURLING, AGED 67 YEARS,
S/O.JAMES, ASHA BHAVAN, UCHAKADA (P.O.)
THIRUVANANTHAPURAM - 695 506.**

**BY ADVS.SRI.G.P.SHINOD
SRI.RAM MOHAN.G.
SRI.MANU V.
SRI.GOVIND PADMANAABHAN
SRI.AJIT G.ANJARLEKAR**

RESPONDENTS :

- 1. THE DISTRICT COLLECTOR,
OFFICE OF THE DISTRICT COLLECTOR, CIVIL STATION,
KUDAPPANAKKUNNU, THIRUVANANTHAPURAM - 695 001.**
- 2. THE TAHSILDAR (REVENUE RECOVERY)
NEYYATTINKARA, THIRUVANANTHAPURAM - 695 121.**
- 3. THE KHADI & VILLAGE INDUSTRIES BOARD,
REPRESENTED BY ITS SECRETARY
THIRUVANANTHAPURAM - 695 001.**

**R1 & R2 BY GOVERNMENT PLEADER SMT. M.T. SHEEBA
R3 BY TOM .K.THOMAS (B/O)**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 06-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1: A TRUE COPY OF THE JUDGMENT DATED 29/11/2013 OF THIS
 HONOURABLE COURT IN WPC. NO. 29339 OF 2013.
- EXT.P2: A TRUE COPY OF THE RECEIPT NO. 06383 DATED 31/12/2013
 EVIDENCING PAYMENT OF AN AMOUNT OF RS.1,00,000/-
 ON 31/12/2013.
- EXT.P3: A TRUE COPY OF THE RECEIPT NO. 00995 DATED 30/01/2014
 EVIDENCING PAYMENT OF AN AMOUNBT OF RS.1,00,000/-
 ON 30/01/2014.
- EXT.P4: A TRUE COPY OF THE ORDER NO. K.B.1088/2003/R1 (CBC)
 DATED 15/01/2014 PASSED BY THE THIRD RESPONDENT.
- EXT.P5: A TRUE COPY OF THE DEMAND NOTICE NO. D5/1390/2005
 DATED 23/01/2015 ISSUED BY THE SECOND RESPONDENT.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

A. MUHAMED MUSTAQUE, J.

W.P(C). No. 6917 of 2015

Dated this the 6th day of August, 2015

J U D G M E N T

The petitioner availed a margin money loan in the year 1997 from the 3rd respondent. On account of default in repaying the amount, the 3rd respondent initiated revenue recovery proceedings.

2. The petitioner was offered with the benefit of One Time Settlement Scheme. Apart from availing the benefit of One Time Settlement Scheme, the petitioner also claimed certain benefits for subsidy under the Scheme.

3. Petitioners application for One Time Settlement Scheme has been rejected for the reason that, the petitioner failed to remit the amount as per Ext.P1 judgment of this Court. Petitioner submits that he has remitted the amount as per Exts.P2 & P3 before the Village Officer pursuant to revenue recovery proceedings.

4. This Court is of the view that, the matter requires reconsideration in terms of One Time Settlement Scheme and also that, the petitioner's request for claiming subsidy also shall be

adverted by the 3rd respondent. Necessary orders shall be passed within a period of one month from the date of receipt of copy of this judgment.

This writ petition stands disposed of.

**Sd/-
A. MUHAMED MUSTAQUE, JUDGE.**

Pn