

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

THURSDAY, THE 5TH DAY OF MARCH 2015/14TH PHALGUNA, 1936

WP(C).No. 6918 of 2015 (L)

PETITIONER(S):

**RAFEEQ, S/O.RAZAK,
PANIKKASSERY HOUSE,
OLLUKKARA, THRISSUR.**

BY ADV. SRI.I.DINESH MENON.

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY SECRETARY TO GOVERNMENT,
LABOUR DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM-695 001.**
- 2. THE DISTRICT EXECUTIVE OFFICER,
MOTOR TRANSPORT WORKERS WELFARE FUND BOARD,
COLLECTORATE P.O., AYYANTHOLE, THRISSUR-680 002.**

**R1 BY GOVERNMENT PLEADER SRI.R. RANJITH.
R2 BY ADV. SRI.K.S.MANU, SC.**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 05-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

WP(C).No. 6918 of 2015 (L)

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 COPY OF THE RC BOOK OF SC KL-8-T-7135.

EXT.P2 COPY OF THE REQUEST DATED 17/02/2015.

RESPONDENT'S EXHIBITS: NIL.

//TRUE COPY//

P.A. TO JUDGE

rs.

K. VINOD CHANDRAN, J.

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W.P.(C) No.6918 of 2015 - L

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Dated this the 5th day of March, 2015

J U D G M E N T

The petitioner had committed default in remitting the motor vehicle welfare fund contribution to the 2nd respondent and seeks for a breathing time to pay off the dues in instalments. Considering the facts of the case and the alleged impecunious circumstances of the petitioner, this writ petition is disposed of on the following terms:-

(i) The petitioner shall produce a certified copy of this judgment before the 2nd respondent within two weeks of receipt of the same.

(ii) The 2nd respondent shall quantify the amounts due and inform the petitioner in writing the amounts due as on 15.03.2015.

(iii) The 2nd respondent shall grant ten monthly instalments for the payment of the balance dues, starting

from 06.04.2015 and continued on the 6th of the succeeding months.

(iv) Recovery proceedings shall be kept in abeyance on condition that the remittances as per this order are made without any default.

(v) On the petitioner making two consecutive default, the recovery steps initiated shall revive and continue.

(vi) On the 11th instalment being satisfied, the 2nd respondent shall issue a statement of the interest accrued from 15.03.2015 which shall be satisfied by the petitioner on the 6th of the succeeding month.

(vii) On the petitioner satisfying the entire arrears, the recovery proceedings shall be unenforceable.

Writ Petition is disposed of as above, making it clear that the 2nd respondent will be free to proceed with the recovery if the above conditions are not complied with.

Sd/-
K. VINOD CHANDRAN,
JUDGE

SB

// true copy //

P.A to Judge