

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

FRIDAY, THE 6TH DAY OF MARCH 2015/15TH PHALGUNA, 1936

WP(C).No. 7165 of 2015 (U)

PETITIONER:

**AJU P.JOSEPH, S/O.JOSEPH, AGED 45 YEARS,
M/S.SAKTHI ENGINEERING WORKS,
CHEMMEENS ROAD, KOCHI-682 005.**

**BY ADVS.SRI.C.A.CHACKO
SMT.C.M.CHARISMA**

RESPONDENT(S):

- 1. DEPUTY LABOUR COMMISSIONER,
CIVIL STATION, KAKKANAD-682 030.**
- 2. DEPUTY TAHSILDAR(RR),
OFFICE OF THE SPECIAL TAHSILDAR(RR),
KOCHI-682 001.**
- 3. THE VILLAGE OFFICER,
THOPPUMPADI VILLAGE, KOCHI TALUK,
ERNAKULAM DISTRICT-682 001.**
- 4. A.L.JOMON, ASHAKANTHARAVELIL HOUSE,
KOOTALINADAPATHA, AROOR P.O., ALAPPUZHA-688 534.**

R1 TO R3 BY GOVT. PLEADER SRI.SHYSON P.MANGUZHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 06-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C).No.7165 of 2015

.....
Dated this the 6th day of March, 2015

J U D G M E N T

The petitioner who is faced with revenue recovery proceedings for recovery of gratuity amounts, that have been found due and payable to the 4th respondent, seeks instalment facility for discharging the liability due to the 4th respondent.

2. I have heard Smt.C.M.Karisma, the learned counsel for the petitioner and Sri.Shyson P.Manguzha, the learned Government Pleader for respondents 1 to 3. In the nature of orders that I propose to pass I do not deem it necessary to hear the 4th respondent.

On a consideration of the facts and circumstances of the case as also the submissions made across the bar, and considering 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.95,625/- together with interest at 10% from 15.03.2013, in six equal and successive monthly instalments commencing from 20.03.2015, further proceedings pursuant to Exts.P1 and P2 shall be kept in abeyance.

(ii) It is made clear that if the petitioner commits a default in respect of any of the instalments, he will lose the benefit of this judgment and the 2nd respondent will be free to continue the recovery proceedings against him from the stage at which they presently stand.

A.K.JAYASANKARAN NAMBIAR
JUDGE

mns

