

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR**

**WEDNESDAY, THE 11TH DAY OF MARCH 2015/20TH PHALGUNA, 1936**

**WP(C).No. 7763 of 2015 (U)**  
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**PETITIONER:**  
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**AYISHABI, AGED 38 YEARS,  
W/O. MOOSA, KOLLARATHODI HOUSE,  
MUTHUTHALA P.O.,PATTAMBI (VIA),  
PALAKKAD DT-679 303.**

**BY ADV. SRI.A.HAROON RASHEED**

**RESPONDENTS:**  
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- 1. THE DISTRICT COLLECTOR,  
PALAKKAD, CIVIL LANE, PALAKKAD DISTRICT.**
- 2. THE DEPUTY TAHASILDAR,  
REVENUE RECOVERY, TALUK OFFICE, PATTAMBI,  
PALAKKAD DISTRICT-679 303.**
- 3. THE VILLAGE OFFICER,  
MUTHUTHALA VILLAGE, PATTAMBI TALUK,  
PALAKKAD DT.**

**R1 TO R3 BY SR GOVERNMENT PLEADER SMT. SOBHA ANNAMMA EAPEN**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 11-03-2015, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:**

**sts**

**WP(C).No. 7763 of 2015 (U)**  
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**APPENDIX**

**PETITIONER(S)' EXHIBITS**  
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**EXHIBIT P1- THE TRUE COPY OF THE REVENUE RECOVERY NOTICE  
DATED 06-1-2015.**

**EXHIBIT P2- THE TRUE COPY OF THE TAX RECEIPT DATED 24-11-2014.**

**EXHIBIT P3- THE TRUE COPY OF THE RECEIPT OF EMI OF HOUSING LOAN  
DATED 15-1-2015.**

**RESPONDENT(S)' EXHIBITS:** **NIL**  
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**/TRUE COPY/**

**P.A.TO.JUDGE**

**sts**

**A.K.JAYASANKARAN NAMBIAR, J.**

.....  
W.P.(C).No.7763 of 2015

.....  
Dated this the 11<sup>th</sup> day of March, 2015

**JUDGMENT**

The petitioner, whose husband is facing recovery steps for recovery of the amounts that were confirmed against him by an award of the Motor Accidents Claims Tribunal, Kalpatta, seeks instalment facility to discharge the dues on behalf of her husband who is currently stated to be employed in the UAE.

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

3. On a consideration of the facts and circumstances of the case as also the submissions made across the bar, and taking into account the fact that, the amounts sought to be recovered from the husband of the petitioner, represents compensation amounts that were awarded in the proceedings of the Motor Accidents Claims Tribunal, Kalpetta, I dispose the writ petition with the following directions:

- i. If the petitioner pays the total amount demanded as per Ext.P1 notice, together with

interest and collection charges indicated therein, in six equal equal successive monthly instalments commencing from 27.03.2015, then further proceedings pursuant to Ext.P1 notice shall be kept in abeyance.

ii. It is made clear that if the petitioner commits a default in respect of any of the instalments, she will lose the benefit of this judgment and the respondents will be free to continue the recovery proceedings against her from the stage at which they currently stand.

**A.K.JAYASANKARAN NAMBIAR**  
**JUDGE**

mns/

