

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 4TH DAY OF JUNE 2015/14TH JYAISHTA, 1937

WP(C).No. 8091 of 2015 (J)

PETITIONER(S) :

**V.A.AJITH PRASAD, S/O.AYYAPPAN,
VANNERI HOUSE, P.O.PADIYAM,
KANNASSANKADAVU, THRISSUR DISTRICT.**

**BY ADVS.SRI.SANTHOSH P.PODUVAL
SMT.R.RAJITHA
SRI.K.D.SREEVISAKH**

RESPONDENT(S) :

- 1. THE DISTRICT COLLECTOR,
THRISSUR - 680 001.**
- 2. THE DEPUTY TAHSILDAR (RR),
THRISSUR - 680 001.**
- 3. THE JOINT REGIONAL TRANSPORT OFFICER,
THRISSUR - 680 001.**
- 4. THE NEW INDIA ASSURANCE CO. LTD.,
TRIPRAYAR, NATTIKA BRANCH, THRISSUR - 680 566.**
- 5. U.S.BASHEER, S/O.SIDDHIQUE,
UNNIKANDATH HOUSE, COLONY ROAD,
P.O.CHAZHOOOR, THRISSUR - 680 571.**
- 6. ANTO, S/O.JOSE,
MELETH HOUSE, P.O.PUTHENPEEDIKA, ANTHIKKAD,
THRISSUR - 680 642.**

**R1 TO R3 BY GOVERNMENT PLEADER SMT.M.T.SHEEBA
R4 BY ADVS. SRI.A.A.ZIYAD RAHMAN
SRI.LAL GEORGE**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 04-06-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' EXHIBITS

- P1: TRUE COPY OF ADDITIONAL WRITTEN STATEMENT FILED BY
4TH RESPONDENT HEREIN IN O.P.(M.V)NO.187/2000 DATED 13.04.2004.**
- P2: TRUE COPY OF AWARD IN O.P.(M.V)NO.187/2000 ON THE FILES OF MACT,
THRISSUR DATED. 21.02.2008.**
- P3: TRUE COPY OF REGISTRATION DETAILS OF MOTORCYCLE KL-8/J-8271
ISSUED BY 3RD RESPONDENT.**
- P4: TRUE COPY OF REGISTRATION DETAILS OF MOTORCYCLE
KL-8/J-8272 ISSUED BY 3RD RESPONDENT.**
- P5: TRUE COPY OF EXHIBIT B1 MARKED IN O.P.(M.V)NO.187/2000 ON
THE FILES OF 1ST RESPONDENT TRIBUNAL.**
- P6: TRUE COPY OF INSURANCE POLICY OF MOTORCYCLE KL-8/J-8272 FOR
THE PERIOD 1999-2000.**
- P7: TRUE COPY OF PETITION IN I.A.NO.3432/2014 IN O.P.(M.V)NO.187/2000
PRESENTED ON 13.05.2014.**
- P8: TRUE COPY OF PETITION IN I.A.NO.3431/2014 IN O.P.(M.V)NO.187/2000.**
- P9: TRUE COPY OF FORM 1 DEMAND NOTICE IN COLLECTORATE
FILE NO.2015/10238/8 ISSUED BY 2ND RESPONDENT DATED 28.02.2015.**
- P10: TRUE COPY OF FORM 10 DEMAND PRIOR TO ATTACHMENT OF LAND IN
COLLECTORATE FILE NO.2015/10238/8 ISSUED BY 2ND RESPONDENT
DATED 28.02.2015.**

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.8091 of 2015

Dated this the 4th day of June, 2015

JUDGMENT

The petitioner has approached the Motor Accident Claims Tribunal, Thrissur in O.P.(MV) No.187/2000 to set aside the *ex parte* award. The petitioner has also filed interlocutory applications. Copy of the applications are produced as Exts.P7 and P8. Based on the award, the Revenue Recovery Proceedings are initiated. Challenging the above, the petitioner has approached this Court. This Court granted a stay on 13.3.2015. Exts.P7 and P8 applications are pending before the Motor Accident Claims Tribunal, Thrissur.

In view of the pendency of the above, there shall be a direction to the Motor Accident Claims Tribunal, Thrissur to consider Exts.P7 and P8 within a period of two months after hearing all the parties. The Revenue Recovery Proceedings shall be kept in abeyance till the disposal of the above application. Registry is directed to communicate this judgment to the Motor Accident Claims Tribunal, Thrissur.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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