

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

FRIDAY, THE 9TH DAY OF OCTOBER 2015/17TH ASWINA, 1937

WP(C).No. 8116 of 2015 (L)

PETITIONER :

**THANKAPPAN
S/O. KRISHNAN, KANAYAKKALIL HOUSE,
P.O. MANATHANA, KANICHUR, THALASSERY
KANNUR DISTRICT.**

**BY ADVS.SRI.M.SASINDRAN
SRI.V.VENUGOPAL**

RESPONDENT(S) :

- 1. THE SUB REGIONAL TRANSPORT OFFICER
THALASSERY, KANNUR DISTRICT- 670 101.**
- 2. THE DEPUTY TRANSPORT COMMISSIONER
NORTH ZONE, KOZHIKODE – 673 001.**
- 3. THE DEPUTY TAHSILDAR
REVENUE RECOVERY, TALUK OFFICE
IRITTY – 670 703, KANNUR DISTRICT.**

***ADDL. R4 IMPEADED**

***ADDL.R4. THE TRANSPORT COMMISSIONER
THIRUVANANTHAPURAM – 695 001.**

***ADDL. R4 IS IMPEADED AS PER ORDER IN IA NO. 13979/2015
DATED 09/10/2015.**

R1 TO R4 BY GOVT. PLEADER SRI. R. RANJITH

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 09-10-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

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...2/-

APPENDIX

PETITIONERS' EXHIBITS :

- EXHIBIT P1: A TRUE COPY OF THE COMPLAINT FILED BY THE PETITIONER'S SON ON 21.11.2011.**
- EXHIBIT P2: A TRUE COPY OF THE REQUEST MADE BY THE PETITIONER BEFORE THE SUB INSPECTOR OF POLICE, MANANTHAVADY DATED 2.1.2014.**
- EXHIBIT P2(a): COPY OF THE ACKNOWLEDGE SHOWING THE ACCEPTANCE OF EXT.P2 BY THE SUB INSPECTOR OF POLICE, MANANTHAVADY.**
- EXHIBIT P3: A TRUE COPY OF THE MEMO DATED 11.6.2014 WHICH WAS SERVED ON THE PETITIONER ON 10.7.2014 ISSUED BY THE 1ST RESPONDENT.**
- EXHIBIT P4: A TRUE COPY OF THE APPEAL MEMORANDUM FILED BY THE PETITIONER BEFORE THE 2ND RESPONDENT WITHOUT ANNEXURE.**
- EXHIBIT P5: A TRUE COPY OF THE MEMO DATED 21.10.2014 ISSUED BY THE 1ST RESPONDENT WHICH WAS SERVED ON THE PETITIONER ON 10.11.2014.**
- EXHIBIT P6: A TRUE COPY OF THE NOTICE ISSUED BY THE 2ND RESPONDENT.**
- EXHIBIT P7: TRUE COPY OF THE JUDGMENT IN WP(C) NO.18051 OF 2010.**
- EXHIBIT P7(a):A TRUE COPY OF THE JUDGMENT IN WP(C) NO.17165 OF 2013.**
- EXHIBIT P8: TRUE COPY OF THE REVENUE RECOVERY NOTICE ISSUED UNDER SECTION 7 OF THE REVENUE RECOVERY ACT.**
- EXHIBIT P8(a): TRUE COPY OF THE REVENUE RECOVERY NOTICE ISSUED UNDER SECTION 34 OF THE REVENUE RECOVERY ACT.**
- EXHIBIT P9: A TRUE COPY OF THE JUDGMENT IN WP(C) NO.30780/2014 DATED 19.11.2014.**
- EXHIBIT P10: A TRUE COPY OF THE ORDER DATED 13.11.2014.**
- EXHIBIT P10 (a): A TRUE COPY OF THE COVER SHOWING THE SENDING OF EXT.P10 ORDER ON 2.12.2014.**
- EXHIBIT P11: A TRUE COPY OF THE NOTICE DATED 5.2.2015 ISSUED BY THE 2ND RESPONDENT.**
- EXHIBIT P12: A TRUE COPY OF THE COVER IN WHICH EXT.P11 NOTICE WAS SERVED ON THE PETITIONER.**

(Contd...)

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EXHIBIT P13: COPY OF THE ORDER NO. C/1932/2014/NORTH ZONE DATED 3.9.2015.

**EXHIBIT P13(a): COPY OF THE ORDER NO. C/1932/2014/NORTH ZONE DATED
25.8.2015.**

**EXHIBIT P14 COPY OF THE REVISION PETITION FILED BY THE PETITIONER
BEFORE THE TRANSPORT COMMISSIONER, THIRUVANANTHAPURAM.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C). No. 8116 of 2015

Dated this the 9th day of October, 2015

JUDGMENT

Against Exts.P13 and P13(a) orders of the 2nd respondent, the petitioner has preferred Ext.P14 revision petition before the additional 4th respondent and the limited prayer of the petitioner in the writ petition is for a direction to the additional 4th respondent to consider and pass orders on Ext.P14 revision petition, filed by the petitioner, expeditiously, after hearing him.

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

On a consideration of the facts and circumstances of the case and the submissions made across the bar, I dispose the writ petition with a direction to the additional 4th respondent to consider and pass orders on Ext.P14 application preferred by the petitioner before him, within a period of one month from the date of receipt of a copy of this judgment, after hearing the petitioner. The recovery steps for recovery of the amounts confirmed against the petitioner through Ext.P13 and P13(a) orders, shall be kept in abeyance, till

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such time as orders are passed by the additional 4th respondent, as directed and communicated to the petitioner.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE

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