

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR

WEDNESDAY, THE 18TH DAY OF MARCH 2015/27TH PHALGUNA, 1936

WP(C).No.8477 of 2015 (H)

PETITIONER:

**BASHEER.A.B, AGED 43 YEARS, S/O.ABDUL RAHIMAN,
R/AT CHEDIKUNDU HOUSE, KUNDAMKUZHI P.O,
BEDADUKA VILLAGE, KASARAGOD DISTRICT.**

BY ADV. SRI.S.JIJI

RESPONDENTS:

- 1. DISTRICT COLLECTOR, CIVIL STATION COMPLEX,
VIDYANAGAR P.O., KASARAGOD-671123.**
- 2. THE DEPUTY COLLECTOR, REVENUE RECOVERY,
CIVIL STATION COMPLEX, VIDYANAGAR P.O.,
KASARAGOD-671123.**
- 3. THE TAHASILDAR (R.R), TALUK OFFICE COMPLEX,
BANK ROAD, TRAFFIC JUNCTION, KASARAGOD-671121.**

BY GOVT. PLEADER SRI.SHYSON P.MANGUZHA.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 18-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

pk

WP(C).No.8477 of 2015 (H)

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1:TRUE COPY OF THE NOTICE DATED 29.11.2014 ISSUED BY THE 3RD
RESPONDENT.

EXT.P2:TRUE COPY OF THE NOTICE ISSUED BY THE 3RD RESPONDENT
DATED 29.11.2014.

EXT.P3:TRUE COPY OF THE APPLICATION DATED 13.2.2015 SUBMITTED TO THE
1ST RESPONDENT.

RESPONDENT'S EXHIBITS:

NIL

//TRUE COPY//

P.S. TO JUDGE

pk

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C).No.8477 of 2015

.....
Dated this the 18th day of March, 2015

J U D G M E N T

The petitioner, who was faced with recovery proceedings for recovery of the amounts confirmed against him by the Motor Accidents Claims Tribunal, Kasaragod, seeks instalment facility to discharge the liability due to the respondents.

2. I have heard the learned counsel for the petitioner and the learned Government Pleader appearing on behalf of 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 plea of financial hardship urged by the petitioner, I dispose the writ petition with the following directions:

i. The total amount outstanding from the petitioner is stated to be Rs.45,370/- together with interest at 8% per annum from 07.11.2007. Accordingly, if the petitioner pays the said amount together with accrued interest

and other charges to the 3rd respondent in six equal successive monthly instalments commencing from 30.03.2015, 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, he will lose the benefit of this judgment and the respondents will be free to continue the recovery proceedings against him from the stage at which they presently stand.

A.K.JAYASANKARAN NAMBIAR
JUDGE

mns

