

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

THURSDAY, THE 19TH DAY OF MARCH 2015/28TH PHALGUNA, 1936

WP(C).No. 8714 of 2015 (L)

PETITIONER(S):

**P.R.RAJESH, AGED 43 YEARS,
S/O.P.V.RAJAPPAN, PALLIYUDETTEKKETHIL HOUSE
KALLUMALA.P.O, MAVELIKKARA, ALAPPUZHA,
PIN-690110.**

BY ADV. SRI.R.RAMADAS

RESPONDENT(S)/RESPONDENTS:

- 1. THE DISTRICT COLLECTOR,
ALAPPUZHA-688001.**
- 2. THE TAHSILDAR,
REVENUE RECOVERY, MAVELIKKARA-690101.**

BY GOVERNMENT PLEADER SMT. SOBHA ANNAMA EAPEN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
19-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

MJS

WP(C).No. 8714 of 2015 (L)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXT.P1 TRUE COPY OF THE DEMAND NOTICE IN FORM NO.10 ALONG WITH A
DEMAND NOTICE U/S 7 OF THE REVENUE RECOVERY ACT DATED
19.05.2012**

EXT.P2 TRUE COPY OF THE CHALLAN RECEIPT DATED 31.10.2014

**EXT.P3 A TRUE COPY OF THE ATTACHMENT NOTICE DATED 27.02.2015
RECEIVED BY THE PETITIONER**

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.S. TO JUDGE

MJS

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C) No. 8714 of 2015 (L)

.....
Dated this the 19th day of March, 2015

JUDGMENT

The petitioner, who is faced with revenue recovery proceedings for recovery of tax arrears, has approached this Court seeking grant of installments for discharging the liability, that is sought to be recovered through recovery notices issued under the Kerala Revenue Recovery Act, 1968 [for short, the 'Act, 1968'].

2. I have heard Sri.R.Ramadas, the learned counsel for the petitioner and Smt.Sobha Annamma Eappen, the learned Government Pleader for the respondents.

3. On a consideration of the facts and circumstances of the case and also the submissions made across the Bar, and in particular the plea of financial hardship urged on behalf of the petitioner, I dispose the writ petition with the following directions :

- i. The total amount due from the petitioner to the respondents, is Rs.1,80,716/- together with 12% interest and other charges from 31.10.2014. Accordingly, if the petitioner pays the said amount Rs.1,80,716/- together with 12% interest and other charges, in six equal and successive monthly

installments commencing from 30.03.2015, then, further proceedings for recovery under the Act, 1968, shall be kept in abeyance.

- ii. It is made clear that, if the petitioner commits a default in respect of any of the installments, 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.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE

AMV/19/03/