

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 19TH DAY OF JUNE 2015/29TH JYAISHTA, 1937

WP(C).No. 9498 of 2015 (J)

PETITIONER :

**NAZEEMUDEEN, AGED 82 YEARS,
S/O.ABDUL ALI MARAKKAR, STAR NIGHT,
SANTHI NAGAR 10,
RESIDENCY ROAD, KOLLAM.**

BY ADV. SMT.MINI GANGADHARAN

RESPONDENT(S):

- 1. THE BRANCH MANAGER,
KERALA STATE FINANCIAL ENTERPRISES,
KOLLAM BRANCH, KOLLAM-691 001.**
- 2. SPECIAL DEPUTY TAHSILDAR (REVENUE RECOVERY),
KERALA STATE FINANCIAL ENTERPRISES, KOLLAM BRANCH,
KOLLAM. PIN-691 001.**

**BY SRI.ALEXANDER.C.V., SC, KERALA STATE FINANCIAL ENT
SRI.A.M.ANTONY, SC, KERALA STATE FINANCIAL ENTERPRISES LTD.**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 19-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).No. 9498 of 2015 (J)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1- TRUE PHOTOCOPY OF THE TREATMENT RECORDS OF THE PETITIONER.
- P2- TRUE PHOTOCOPY OF THE DEMAND NOTICE ISSUED BY 2ND RESPONDENT TO THE PETITIONER.
- P3- TRUE PHOTOCOPY OF THE REVENUE RECOVERY NOTICE DATED 27.12.2013 ISSUED BY 2ND RESPONDENT.

RESPONDENT(S)' EXHIBITS: **NIL**

/TRUE COPY/

P.A.TO JUDGE

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A.MUHAMED MUSTAQUE, J.

W.P.(C) No.9498 of 2015

Dated this the 19th day of June, 2015

JUDGMENT

The petitioner impugns Revenue Recovery Proceedings before this Court. This writ petition is filed on 24.3.2015. On 30.3.2015, this Court ordered the petitioner to remit Rs.3 lakhs on or before 30.4.2015.

2. It is submitted by the learned counsel for the respondents that no amount has been paid so far.

3. The petitioner's case is that he is under treatment and he was unable to raise the amount immediately. The petitioner submits that he may be given an instalment facility to wipe off the liability. If the petitioner has any alternative way of settling the liability, the petitioner is free to approach the Kerala State Financial Institution and seeks time. If the petitioner places any genuine proposal, necessarily, that should be considered by the Financial Institution.

Considering the facts and circumstances, this writ petition is disposed of with the following directions:

1. The petitioner shall make a request for alternative way of settling the liability with the Financial Institution within one week from the date of receipt of a copy of this judgment.
2. Thereafter, the Financial Institution shall consider the request of the petitioner within a further period of three weeks.
3. To work out any alternative measures, the Revenue Recovery Proceedings shall be deferred for a period of one month.
4. It is made clear that the Revenue Authority can proceed further in this matter on receipt of the communication from the Financial Institution.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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