

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

WEDNESDAY, THE 25TH DAY OF MARCH 2015/4TH CHAITHRA, 1937

WP(C).No. 9532 of 2015 (N)

PETITIONER(S):

**K.P.ANIL KUMAR,
S/O.PARAMESWARAN PILLAI, KAVIL VEEDU,
THURUTHIKKARA P.O., KUNNATHOOR, KOLLAM.**

BY ADV. SMT.P.SPREETHA

RESPONDENT(S):

- 1. STATE OF KERALA, REPRESENTED BY THE SECRETARY TO
GOVERNMENT, REVENUE DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM - 695 001.**
- 2. THE PROJECT OFFICER, KERALA KHADI & VILLAGE
INDUSTRIES BOARD, KOLLAM - 691 001.**
- 3. THE SECRETARY, KERALA KHADI & VILLAGE
INDUSTRIES BOARD, VANCHIYOOR P.O.,
THIRUVANANTHAPURAM - 695 014.**
- 4. THE VICE CHAIRMAN, KERALA KHADI & VILLAGE
INDUSTRIES BOARD, VANCHIYOOR P.O.,
THIRUVANANTHAPURAM - 695 014.**
- 5. THE DISTRICT COLLECTOR, COLLECTORATE,
CUTCHERY P.O., KOLLAM - 691 013.**
- 6. THE DEPUTY TAHSILDAR (REVENUE RECOVERY),
KUNNATHOOR TALUK, SASTHAMCOTTAH,
KOLLAM - 690 521.**
- 7. THE VILLAGE OFFICER, KUNNATHOOR VILLAGE,
KUNNATHOOR P.O., KOLLAM, PIN - 690 520.**

**R1 & R5 TO R7 BY GOVERNMENT PLEADER SRI.SHYSON P. MANGUZHA
R2 TO R4 BY SRI.TOM K.THOMAS, SC**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
25-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

APPENDIX

PETITIONER(S)' EXHIBITS:

**EXT.P1: THE TRUE COPY OF THE DEED OF HYPOTHECATION DTD.22.3.1995
EXECUTED BETWEEN THE GANDHI SMARAKA CHARITABLE SOCIETY AND
THE 3RD RESPONDENT.**

**EXT.P2: THE TRUE COPY OF THE REGISTERED NOTICE DTD.11.2.2010 ISSUED BY
THE 2ND RESPONDENT TO THE PETITIONER.**

**EXT.P3: THE TRUE COPY OF THE NOTICE NO.KB-04493/2010/R1 DTD.28.5.2012
ISSUED BY THE 3RD RESPONDENT TO THE PETITIONER.**

**EXT.P4: THE TRUE COPY OF THE NOTICE NO.B2-2012/713/2/100/18327 DTD.26.9.2012
ISSUED BY THE 6TH RESPONDENT TO THE PETITIONER.**

**EXT.P5: THE TRUE COPY OF THE REPRESENTATION DTD.12.3.2015 FILED BY THE
PETITIONER BEFORE THE MINISTER FOR REVENUE.**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Ms v/

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C) No. 9532 of 2015 (N)

.....
Dated this the 25th day of March, 2015

JUDGMENT

The petitioner, who is faced with revenue recovery proceedings under the Kerala Revenue Recovery Act, 1968, has approached this Court seeking a direction to the 3rd respondent to consider and pass orders on Ext.P5 representation, that was preferred by her, and is stated to be pending consideration before the 3rd respondent for the benefit of the One Time Settlement Scheme.

2. I have heard Smt.Preetha P.S., the learned counsel for the petitioner, Sri.Tom K.Thomas, the learned Standing counsel appearing for the respondent Nos.2 to 4 and Sri.Shyson P.Mangizha, the learned Government Pleader for the respondent Nos.1,5,6 and 7.

3. 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 3rd respondent to consider and pass orders on Ext.P5 representation within a period of three weeks from the date of receipt of a copy of this judgment, after hearing the petitioner.

4. The revenue recovery steps initiated against the petitioner, pursuant to Exts.P2 to P4 notices shall be kept in abeyance, till such time, as the 3rd respondent passes orders, as directed, and communicates the same to the petitioner.

The petitioner shall produce a copy of the judgment along with a copy of the writ petition before the 3rd respondent for further steps.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE

AMV/27/03/

