

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

THURSDAY, THE 17TH DAY OF SEPTEMBER 2015/26TH BHADRA, 1937

WP(C) .NO. 11895 OF 2015 (J)

PETITIONER(S) :

ABDUL SALAM S.A.

S/O.S.A.ABDUL KHADER, SRAMBIYAKKAD HOUSE, 675/A
VADANAPAALY, CHAVAKKAD TALUK, THRISSUR DISTRICT.

BY ADV. SRI.V.K.SHAMUSUDHEEN

RESPONDENT(S) :

1. THE ASSISTANT COMMISSIONER
SPECIAL CIRCLE, COMMERCIAL TAXES
MALAPPURAM - 676 505.

2. THE TAHSILDAR
TALUK OFFICE, CHAVAKKAD - 680 506.

3. THE COMMISSIONER OF LAND REVENUE
PUBLIC OFFICE BUILDINGS, OPPOSITE MUSEUM
REVENUE COMPLEX, THIRUVANANTHAPURAM - 695 009.

BY GOVERNMENT PLEADER SRI.LIJU V.STEPHEN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
17-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).NO. 11895 OF 2015 (J)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXT.P1: TRUE COPY OF THE MAHASSAR DATED 01.03.1999.

EXT.P2: TRUE COPY OF THE ADVERTISEMENT OF KSIDC PUBLISHED IN MALAYALA MANORAMA DAILY DATED 16/11/2000.

EXT.P3: TRUE COPY OF THE ORDER OF THE 2ND RESPONDENT DATED 14.11.2014.

EXT.P4: TRUE COPY OF THE REVISION PETITION DATED 24.02.2015 FILED BY THE PETITIONER BEFORE THE 3RD RESPONDENT (WITHOUT ANNEXURE).

EXT.P5: TRUE COPY OF THE STAY PETITION DATED 24.02.2015 FILED BY THE PETITIONER BEFORE THE 3RD RESPONDENT.

EXT.P6: TRUE COPY OF THE ASSESSMENT ORDER DATED 17.02.2004 ISSUED BY THE 1ST RESPONDENT FOR THE YEAR 1999-2000.

EXT.P7: TRUE COPY OF THE APPLICATION FILED UNDER RIGHT TO INFORMATION ACT DATED 20.02.2015.

EXT.P8: TRUE COPY OF THE REPLY DATED 23.02.2015 GIVEN AGAINST EXT.P7 APPLICATION.

EXT.P9: TRUE COPY OF THE PETITION FILED BEFORE THE 1ST RESPONDENT DATED 23.03.2015 (WITHOUT ANNEXURE).

EXT.P10: TRUE COPY OF THE ATTACHMENT NOTICE UNDER SECTION 36 OF THE REVENUE RECOVERY ACT ISSUED BY THE 2ND RESPONDENT DATED 08.01.2015.

RESPONDENT(S) ' EXHIBITS:NIL

//TRUE COPY//

P.A TO JUDGE

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C).No.11895 of 2015

.....
Dated this the 17th day of September, 2015

J U D G M E N T

The petitioner in the writ petition is aggrieved by the proceedings initiated against the petitioner, who was a Director of a company, for the dues owing from the company to the State Government. Highlighting his grievance with regard to the recovery proceedings initiated against him under the Revenue Recovery Act, the petitioner has preferred Ext.P9 representation before the 1st respondent and the limited prayer of the petitioner in the writ petition is for a direction to the 1st respondent to consider and pass orders on Ext.P9 representation expeditiously, after hearing the petitioner.

2. I have heard the learned counsel for the petitioner and the learned Government Pleader for the respondents.

On a consideration of the facts and circumstances of the case and submissions made across the bar, I dispose the writ petition with a direction to the 1st respondent to consider and pass orders on Ext.P9 representation after hearing the petitioner within a period of two months from the date of receipt of a copy of this judgment. The

interim order of status quo that was passed by this Court, against the recovery proceedings against the petitioner, shall continue till such time as orders are passed by the 1st respondent as directed and communicated to the petitioner.

A.K.JAYASANKARAN NAMBIAR
JUDGE

mns

