

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 21ST DAY OF MAY 2015/31ST VAISAKHA, 1937

WP(C).No. 13677 of 2015 (H)

PETITIONER(S) :

MINI SIVADASAN, AGED 48 YEARS,
W/O.SIVADASAN, HOUSE NO.XV/48, KARIYIL HOUSE
KUTTAMPUZHA P.O., KOTHAMANGALAM, ERNAKULAM-686691.

BY ADVS.SRI.P.B.AJOY
SRI.P.A.SHIBU (EKM)

RESPONDENT(S) :

1. THE KERALA STATE FINANCIAL ENTERPRISE LIMITED
THOPPUMPADY BRANCH, PARRY JUNCTION, THOPPUMPADY
KOCHI-682005 REPRESENTED BY ITS BRANCH MANAGER.

2. THE MANAGER
O/O.SPECIAL DEPUTY TAHSILDAR (REVENUE RECOVERY)
III FLOOR, MORNING STAR BUILDING, KACHERIPADY
ERNAKULAM-682018.

R1 BY ADV. SRI.P.V.LONACHAN,SC,KSFE LTD.
R2 BY SRI.ALEXANDER.C.V., SC, KERALA STATE FINANCIAL
ENTERPRISE, LIMITED

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
21-05-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONERS' EXHIBITS

- EXT.P1 TRUE COPY OF THE RELEVANT PAGES OF THE CHITTY PASS BOOK
 DATED NIL ISSUED BY THE 1ST RESPONDENT.
- EXT.P2 TRUE COPY OF THE RECEIPT DATED 16.08.2014 ISSUED BY THE
 1ST RESPONDENT TO THE PETITIONER.
- EXT.P3 TRUE COPY OF THE LETTER DATED 11.11.2014 AND BEARING
 NO.075/16/2014-15 ISSUED BY THE 1ST RESPONDENT TO THE
 PETITIONER.

RESPONDENTS EXHIBITS : NIL

/TRUE COPY/

P. A. TO JUDGE

Pn

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.13677 of 2015

Dated this the 21st day of May, 2015

J U D G M E N T

The petitioner, who is the subscriber of a chitty with the 1st respondent, has defaulted in repaying the bid amount. Therefore, revenue recovery proceedings were initiated against her. The petitioner has filed this writ petition challenging Ext.P3 revenue recovery proceedings.

2. Heard the learned counsel for the petitioner as well as the learned Standing Counsel for the respondents.

3. The learned counsel for the petitioner submits that, if the petitioner has given twelve equal monthly installment facility, she will pay off the entire amount within that time. The learned counsel for the respondents opposes the above submission.

4. In view of the facts and circumstances of the case, this Court finds that, it will be appropriate to give some installment facility to the petitioner to satisfy the liability. The petitioner is directed to satisfy the entire liability by way of 'ten' equal monthly installments, the first of it shall be effected on or before the 15th June, 2015 to be followed by similar installments to be effected in the succeeding months. The respondents are directed to quantify the liability of the petitioner as on 30.05.2015 and to inform the same to the petitioner on or before 10.06.2015.

It is made clear that, if any default is committed with regard to the satisfaction of the amount as above, it will be open for the respondents to proceed with further steps for realisation of the entire amount in lump, by pursuing such steps from the stage where it stands now.

The writ petition is disposed of as above.

Sd/-
A.MUHAMED MUSTAQUE, JUDGE.

AV