

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

WEDNESDAY, THE 16TH DAY OF SEPTEMBER 2015/25TH BHADRA, 1937

WP(C).No. 16371 of 2015 (V)

PETITIONER(S)/PETITIONER:

**M/S.MENON NURSING HOME, AGED 64 YEARS
OLAVAKKODE, PALAKKAD
REPRESENTED BY ITS MANAGING DIRECTOR, KRISHNAKUMAR.**

BY ADV. SRI.RAJESH SIVARAMANKUTTY

RESPONDENT(S)/RESPONDENTS:

- 1. DEPUTY LABOUR COMMISSIONER,
OFFICE OF THE DEPUTY LABOUR COMMISSIONER
PALAKKAD-678001.**
- 2. THE DEPUTY TAHSILDAR(RR),
OFFICE OF THE DEPUTY TAHSILDAR, PALAKKAD-678001.**
- 3. THE DISTRICT COLLECTOR,
PALAKKAD, OFFICE OF THE DISTRICT COLLECTOR
CIVIL STATION, PALAKKAD-678001.**
- 4. STATE OF KERALA,
REPRESENTED BY SECRETARY, REVENUE DEPARTMENT
THIRUVANANTHAPURAM.**
- 5. P.PRASAD,
SANJAY GANGA, DEVI NAGAR, AKATHETHARA
PALAKKAD-678 008.**
- 6. THE SECRETARY,
DISTRICT LEGAL SERVICES AUTHORITY, PALAKKAD-678001.**

**R5 BY ADV. SRI.K.M.FIROZ
R5 BY ADV. SMT.M.SHAJNA
R5 BY ADV. SRI.S.KANNAN
R1-R4 BY ADV. GOVERNMENT PLEADER, SMT. LILLY K.T.**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
16-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1** **TRUE COPY OF THE AWARD DATED 6-12-2014 ISSUED BY THE 6TH RESPONDENT**
- EXT.P2** **TRUE COPY OF THE SHOW CAUSE NOTICE DATED 21-1-2015 IN S.A.2/2013 ISSUED BY THE 1ST RESPONDENT TO THE PETITIONER**
- EXT.P3** **TRUE COPY OF THE REPLY DATED 2-2015 ISSUED BY THE PETITION TO THE 1ST RESPONDENT**
- EXT.P4** **TRUE COPY OF THE DEMAND NOTICE DATED 20-4-2015 ISSUED UNDER SECTION 7 OF THE KERALA REVENUE RECOVERY ACT.**
- EXT.P5** **TRUE COPY OF THE DEMAND NOTICE DATED 20-4-2015 ISSUED UNDER SECTION 34 OF THE KERALA REVENUE RECOVERY ACT.**

RESPONDENT(S)' EXHIBITS

- EXT.R5(a)** **TRUE COPY OF THE LETTER DATED 19.03.2013 ISSUED BY THE DISTRICT LABOUR OFFICER TO THIS RESPONDENT.**
- EXT.R5(b)** **TRUE COPY OF THE APPLICATION DATED 29.05.2013 SUBMITTED BY THE 5TH RESPONDENT BEFORE THE DEPUTY LABOUR COMMISSIONER.**
- EXT.R5(c)** **TRUE COPY OF THE NOTICE ISSUED BY THE DEPUTY LABOUR COMMISSIONER TO THE PETITIONER TO APPEAR BEFORE THE COURT.**
- EXT.R5(d)** **TRUE COPY OF THE LETTER DATED 18.07.2013 SEND BY THE PETITIONER TO THE DEPUTY LABOUR COMMISSIONER,.**
- EXT.R5(e)** **TRUE COPY OF THE AFFIDAVIT FILED BY THE PETITIONER DATED 12.08.2014**

// True copy //

PA to Judge

das

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C). No. 16371 of 2015

Dated this the 16th day of September, 2015

JUDGMENT

The challenge in the writ petition is against Exts.P4 and P5 demand notices issued under the Revenue Recovery Act, for realisation of an amount of Rs.24,829/- together with interest and other charges, that are due to the 5th respondent pursuant to Ext.P1 award. It is submitted by the learned counsel for the petitioner that, although various contentions have been taken in the writ petition, he would now confine his prayer to the grant of installments to discharge the liability due to the 5th respondent. Taking note of the said submission of counsel for the petitioner, I dispose the writ petition with a direction to the petitioner to pay the amounts demanded in Exts.P4 and P5 notices to the respondents, on or before 31.10.2015. I make it clear that, if the petitioner fails to comply with the aforesaid direction, then it will be open to the respondents to continue proceedings pursuant to Exts.P4 and P5 from the stage at which they presently stand.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE