

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 12TH DAY OF JUNE 2015/22ND JYAISHTA, 1937

WP(C).No. 17657 of 2015 (F)

PETITIONER(S) :

**BRAJESH,
S/O.MOHANAN, VANIYAMKULATHIL HOUSE, PERUVALLUR P.O.,
THENHIPALAM, MALAPPURAM DISTRICT.**

**BY ADVS.SRI.BABU S. NAIR
SRI.K.RAKESH**

RESPONDENT(S):

- 1. THE ORIENTAL INSURANCE COMPANY LTD.,
C.K.H.BUILDING, THAZHEPALAM, TIRUR
MALAPPURAM DISTRICT, PIN-676 101.**
- 2. THE DISTRICT COLLECTOR,
MALAPPURAM, PIN-676 505.**
- 3. THE DEPUTY TAHSILDAR (REVENUE RECOVERY),
TIRURANGADI TALUK, MALAPPURAM DISTRICT, PIN-676 101.**

**R1 BY ADV. SMT.K.S.SANTHI
R2 & R3 BY GOVERNMENT PLEADER SRI.R.RANJITH**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 12-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Msd.

WP(C).No. 17657 of 2015 (F)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1: TRUE COPY OF THE APPLICATION IN I.A.NO.4935/2014 IN
O.P.(M.V.) NO.921/2012 FILED BY THE 1ST RESPONDENT BEFORE
THE M.A.C.T, TIRUR.**
- P2: TRUE COPY OF THE DEMAND NOTICE ISSUED BY THE 3RD RESPONDENT
UNDER SECTION 7 OF THE KERALA REVENUE RECOVERY ACT
DATED 29/04/2015.**
- P3: TRUE COPY OF THE DEMAND NOTICE ISSUED BY THE 3RD RESPONDENT
UNDER SECTION 34 OF THE KERALA REVENUE RECOVERY ACT
DATED 29/04/2015.**

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.17657 of 2015

Dated this the 12th day of June, 2015

J U D G M E N T

The petitioner is the first respondent in O.P.(M.V)No.921/2012 on the files of the Motor Accidents Claims Tribunal, Tirur. The petitioner saddled with liability pursuant to the award passed by the Tribunal and now threatened with recovery proceedings. Aggrieved by the same, the petitioner has filed this writ petition.

2. The requisitioning authority is the Insurance Company. The petitioner's only relief before this Court is to permit him to discharge the liability by way of equal monthly installments.

3. Considering the facts and circumstances of the case, the petitioner is permitted to discharge the liability demanded as per Exts.P2 and P3 in ten equal monthly installments starting from 25.06.2015. If the petitioner commits default in remitting any of the installments, the authorities are free to proceed against the petitioner. To work out the above relief, revenue recovery proceedings against the petitioner shall be deferred.

This writ petition is disposed of as above.

Sd/-
A.MUHAMED MUSTAQUE, JUDGE.