

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. 17686 of 2015 (I)

PETITIONER(S):

**K.V. SHIBU, AGED 40 YEARS,
S/O. VARGHESE, RESIDING AT KOOTTAPPILLIL HOUSE,
VARAPETTY P.O, VARAPETTY VILLAGE,
KOTHAMANGALAM TALUK,
ERNAKULAM DISTRICT, PIN - 686 671.**

BY ADV. SRI.PEEYUS A.KOTTAM.

RESPONDENT(S):

- 1. DISTRICT COLLECTOR,
ERNAKULAM, COLLECTORATE, CIVIL STATION,
KAKKANAD, COCHIN - 682 030.**
- 2. DEPUTY TAHSILDAR (REVENUE RECOVERY),
TALUK OFFICE, KOTHAMANGALAM, ERNAKULAM DISTRICT - 686 691.**
- 3. THE VILLAGE OFFICER,
VARAPETTY VILLAGE, KOTHAMANGALAM TALUK,
ERNAKULAM DISTRICT - 686 691.**
- 4. THE ORIENTAL INSURANCE COMPANY LIMITED,
REPRESENTED BY ITS BRANCH MANAGER, BRANCH OFFICE,
P.B. NO. 50, ELENJICAL PLAZA, CHURCH VIEW JUNCTION,
KOTHAMANGALAM, ERNAKULAM - 686 691.**

**R1 TO R3 BY GOVT. PLEADER SMT.M.T. SHEEBA.
R4 BY ADV. SMT.K.S.SANTHI.**

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

rs.

WP(C).No. 17686 of 2015 (I)

APPENDIX

PETITIONER'S EXHIBITS:-

EXHIBIT-P1- TRUE COPY OF THE COMMON AWARD DATED 06/07/2013 OF THE OF MOTOR ACCIDENTS CLAIMS TRIBUNAL, MUVATTUPUZHA IN O.P (MV).65/2008 AND 281/2008.

EXHIBIT-P2- TRUE COPY OF THE NOTICE NO. B2-3614/15 DATED 12/05/2015 FOR RS.73,312/- ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER.

EXHIBIT-P3- TRUE COPY OF THE NOTICE NO. B2-3615/15 DATED 12/05/2015 FOR RS.13,020/- ISSUED BY THE 2ND RESPONDENT PETITIONER.

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

PA. TO JUDGE

rs.

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.17686 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.65/2008 & O.P.(M.V)No.281/2008 on the files of the Motor Accidents Claims Tribunal, Muvattupuzha. 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.