

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 19TH DAY OF JUNE 2015/29TH JYAISHTA, 1937

WP(C).No. 18394 of 2015 (Y)

PETITIONER:

**K.P.PRAKASAN,
KALLUKADAVIL HOUSE,
KULASHEKARAMANGALAM P.O.,
VAIKAM TALUK, KOTTAYAM.**

**BY ADVS.SRI.M.V.BIPIN
SMT.A.S.BEENU**

RESPONDENT(S):

- 1. M/S.NEW INDIA ASSURANCE CO. LTD.,
REPRESENTED BY ITS MANAGER,
REGIONAL OFFICE, M.G. ROAD,
ERNAKULAM.**
- 2. THE DEPUTY TAHSILDAR (R.R),
TALUK OFFICE, VAIKOM, PIN - 686 141.**

**R1 BY SRI.A.A.ZIYAD RAHMAN, SC
R2 BY GOVERNMENT PLEADER SMT.M.T.SHEEBA**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 19-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

WP(C).No. 18394 of 2015 (Y)

APPENDIX

PETITIONER(S)' EXHIBITS:

**P1 - TRUE COPY OF THE DEMAND NOTICE ISSUED BY THE 2ND RESPONDENT
VIDE NO. TALUK (G9) FILE NO.2015/542/5/500 DATED 02.05.2015.**

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

mbr/

A.MUHAMED MUSTAQUE, J.

W.P.(C).No.18394 of 2015

Dated this the 19th day of June, 2015

J U D G M E N T

The petitioner was saddled with the liability under the MACT award, is now threatened with revenue recovery proceedings initiated for recovering the amount at the instance of the insurance company. The petitioner's only prayer before this Court is that, he may be permitted to discharge the liability by way of easy installments.

2. The learned Standing Counsel for the Insurance Company opposes the prayer of the petitioner and submits that, the amount is liable to be paid by the petitioner under the award.

3. Considering the fact that, the petitioner is an auto driver who makes every effort to discharge the liability, this writ petition is disposed of permitting the petitioner to pay off the entire amount demanded as per Ext.P1 along with future interest and collection charges in fifteen equal monthly installments starting from 10.07.2015 onwards. If the petitioner commits default in paying any one of the installments, the revenue authorities are free to proceed against the petitioner. To work out above reliefs, all recovery proceedings against the petitioner shall be kept in abeyance in tune with the directions.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE.