

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 24TH DAY OF JUNE 2015/3RD ASHADHA, 1937

WP(C).No. 18842 of 2015 (E)

PETITIONER(S) :

**M.HAZEENA, W/O.ASHARUDHEEN,
CHARUVILA PUTHEN VEEDU, NAVAYIKULAM
CHIRAYINKEEZHU TALUK, THIRUVANANTHAPURAM.**

BY ADV. SRI.B.MOHANLAL

RESPONDENT(S) :

- 1. THE KERALA STATE FINANCIAL ENTERPRISES LIMITED,
REGISTERED OFFICE, BHADRATHA, P.B.NO.510,
MUSEUM ROAD, CHEMBUKKAVU.P.O, THRISSUR-20,
REPRESENTED BY ITS MANAGING DIRECTOR.**
- 2. THE DEPUTY COLLECTOR(SPECIAL), REVENUE RECOVERY,
THE KERALA STATE FINANCIAL ENTERPRISES LIMITED,
REGISTERED OFFICE, BHADRATHA, P.B.NO.510,
MUSEUM ROAD, CHEMBUKKAVU.P.O, THRISSUR-20.**
- 3. THE DEPUTY TAHASILDAR (REVENUE RECOVERY),
THE KERALA STATE FINANCIAL ENTERPRISES LIMITED,
NEW TRADE CENTRE, MEDICAL COLLEGE.P.O.,
THIRUVANANTHAPURAM-695 011.**
- 4. THE DEPUTY TAHASILDAR (REVENUE RECOVERY),
THE KERALA STATE FINANCIAL ENTERPRISES LIMITED,
KERALA STATE FINANCIAL ENTERPRISES BUILDING,
CHINNAKKADA, KOLLAM-691 001.**
- 5. THE BRANCH MANAGER,
KERALA STATE FINANCIAL ENTERPRISES LIMITED,
PALLICKAL.P.O, KILIMANOOR VIA, THIRUVANANTHAPURAM-695 604.**

BY ADV. SRI.ALEXANDER.C.V., S.C, K.S.F.E

BY ADV. SRI.A.M.ANTONY, S.C , K.S.F.E

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 24-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1: THE TRUE COPY OF THE NOTICE ISSUED BY
THE 3RD RESPONDENT TO THE PETITIONER'S HUSBAND.**
- EXT.P2: THE TRUE COPY OF THE REVENUE RECOVERY DEMAND NOTICE
NO:SDT/KLM/11094/14-15 DATED 13/12/2014 ISSUED BY THE 4TH
RESPONDENT ISSUED TO THE PETITIONER'S HUSBAND.**
- EXT.P3: THE TRUE COPY OF THE APPLICATION SUBMITTED BY
THE PETITIONER'S HUSBAND BEFORE THE MINISTER FOR
FINANCE DATED 27/10/2014 AND THE ORDER.**
- EXT.P4: THE TRUE COPY OF THE JUDGMENT IN W.P.(C).NO.4059/2015 OF
THIS HON'BLE COURT FILED BY THE PETITIONER'S HUSBAND**
- EXT.P5: THE TRUE COPY OF THE APPLICATION SUBMITTED BY
THE PETITIONER BEFORE THE 2ND RESPONDENT
DATED 05/06/2015.**

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

A. MUHAMED MUSTAQUE, J.

W.P.(C). No. 18842 of 2015

Dated this the 24th day of June, 2015

J U D G M E N T

The petitioner is the wife of one Sri.Asharudheen. Petitioner challenges the revenue recovery proceedings initiated. Sri.Asharudheen approached this Court in WP(C) No.4059/2015 challenging the revenue recovery proceedings, which was dismissed by this Court. Learned counsel for the petitioner submits that, that was only in respect of Ext.P2 demand notice. It is further submitted, that there are other demand notices which was not subject matter of challenge in the above writ petition.

2. The petitioner raised certain proposals for settlement of entire dues. That proposals are high lighted before the 2nd respondent by Ext.P5. One of the proposal is that, one item should be released to him, so as to effect private sale to raise funds for discharging the entire liability.

3. I am of the view that, these are all matters to be considered by the 2nd respondent. Essentially, if petitioner's claim for settlement is genuine, the same shall be entertained by the

institution. However, it is for the institution to decide what manner the proposal can be accepted or not.

4. In that view of the matter the following directions are issued:

- (i) Ext.P5 shall be considered within a period of four weeks after hearing the petitioner.
- (ii) To work out all alternative remedy, the coercive steps shall be deferred to for a period of two months.
- (iii) Any other legal contentions in the writ petition are left open.

The writ petition is disposed of.

Sd/-

A. MUHAMED MUSTAQUE, JUDGE.

Pn