

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 21ST DAY OF JULY 2015/30TH ASHADHA, 1937

WP(C).No. 21852 of 2015 (F)

PETITIONER(S):

**SAIDALAVI, AGED 55 YEARS,
S/O.KUNJU MUHAMMED, KUTTIKATTIL HOUSE, MOOCHIKAL,
RADATHANI P.O., MALAPPURAM DISTRICT, PIN - 676 510.**

**BY ADVS.SRI.ESM.KABEER
SMT.K.M.AMINABEEVI**

RESPONDENT(S):

- 1. MOHAMMED RAFI, AGED 30 YEARS,
S/O.ALIYAMU, PILATHERI HOUSE, VALIYA PARAPOOR,
ANANTHAVOOR P.O., THIRUNAVAYA, TIRUR TALUK,
MALAPPURAM DISTRICT - 676 301.**
- 2. KUNJI MUHAMMED, S/O.POKKER, AGED 31 YEARS,
PADINJAREVALAPPIL HOUSE, ANANTHAVOOR P.O.,
PATTARANADAKKAVU, THIRUNAVAYA, TIRUR TALUK - 676 301.**
- 3. SHIHAB K.,
S/O.ALAVIKUTTY, KALLIDUMBIL HOUSE, INDIANOOR P.O.,
KOTTAKKAL, MALAPPURAM DISTRICT - 676 503.**
- 4. THE BRANCH MANAGER, NEW INDIA ASSURANCE COMPANY LTD.,
1ST FLOOR, TARIF BAZAR, TIRUR, PIN - 676 101.**
- 5. TAHSILDAR, TALUK OFFICE,
TIRUR - 676 101.**
- 6. DEPUTY TAHSILDAR (R.R),
TIRUR - 676 101.**
- 7. RATHEESH,
MANAKOOTTATHIL HOUSE, VAZHATHOPPU P.O.
IDUKKI DISTRICT - 685 602.**

**R4 BY ADV. SRI.A.A.ZIYAD RAHMAN
R5 & R6 BY GOVERNMENT PLEADER SMT.M.T.SHEEBA**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
21-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 21852 of 2015 (F)

APPENDIX

PETITIONER(S)' EXHIBITS

P1- TRUE COPY OF THE REGISTRATION DETAILS OF KL -10 M - 2584.

**P2- TRUE COPY OF THE DEMAND NOTICE ISSUED BY THE 6TH RESPONDENT
DATED 9.2.2012.**

P3- TRUE COPY OF THE OBJECTION FILED BY THE PETITIONER BEFORE THE MACT.

P4- TRUE COPY OF THE AWARD IN OP(MV) NOS.488/09 AND 42/10 DATED 30.10.2013.

**P5- TRUE COPY OF THE DEMAND NOTICE DATED 19.11.2014 ISSUED BY THE
6TH RESPONDENT.**

**P6- TRUE COPY OF THE DEMAND NOTICE DATED 19.11.2014 ISSUED BY THE
6TH RESPONDENT.**

P7- TRUE COPY OF THE NOTICE DATED 20.6.15.

P8- TRUE COPY OF SAID REPRESENTATION DATED 29.6.2015.

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Ms v/

A. MUHAMED MUSTAQUE, J.

W.P(C). No. 21852 of 2015

Dated this the 21st day of July, 2015

J U D G M E N T

The petitioner has approached this Court aggrieved by revenue recovery proceedings pursuant to MACT Award. Petitioner submits that he is contemplating to file an appeal against MACT Award.

2. In that view of the matter, there shall be a direction to respondents 5 & 6 to defer the revenue recovery proceedings for a period of 3 months, to enable the petitioner to work out alternative remedy against the Award.

This writ petition is disposed of.

Sd/-

A. MUHAMED MUSTAQUE, JUDGE.