

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 11TH DAY OF JUNE 2015/21ST JYAISHTA, 1937

WP(C).No. 22596 of 2014 (Y)

PETITIONER(S):

**C.A.MOHAMOOD, AGED 56 YEARS,
S/O. HASSANKUTTY, PWD CONTRACTOR, PULIKKUNNU
KASARAGOD - 671 121.**

**BY ADVS.SRI.K.V.PAVITHRAN
SRI.JAYANANDAN MADAYI PUTHIYAVEETIL
SRI.P.SAJU**

RESPONDENT(S):

- 1. TAHSILDAR,
REVENUE RECOVERY, KASARAGOD - 671 121.**
- 2. VILLAGE OFFICER
THALANGARA, KASARAGOD - 671 121.**
- 3. EXECUTIVE ENGINEER,
P.W.D ROADS DIVISION, KANNUR - 670 001.**
- 4. STATE OF KERALA,
REPRESENTED BY SECRETARY TO GOVERNMENT,
FINANCE DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.**

BY GOVERNMENT PLEADER SMT.M.T.SHEEBA

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 11-06-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

PJ

WP(C).No. 22596 of 2014 (Y)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT-P1- TRUE COPY OF THE JUDGMENT DATED 01/07/2004 IN W.P(C)
17701/2013**

**EXHIBIT-P2- TRUE COPY OF THE LETTER DATED 14/04/2014 ADDRESSED TO THE
IST RESPONDENT BY THE PETITIONER.**

EXHIBIT-P2(A)-TRUE COPY OF THE POSTAL ACKNOWLEDGMENT.

**EXHIBIT-P3- TRUE COPY OF THE LETTER DATED 11/08/2014 OF 3RD RESPONDENT
TO THE SUPERINTENDING ENGINEER WITH CALCULATIONS.**

**EXHIBIT-P4- TRUE COPY OF THE R.R PROCEEDINGS INITIATED BY THE IST
RESPONDENT.**

RESPONDENT(S)' EXHIBITS

EXHIBIT R3(A): TRUE COPY OF THE ORDER NO.CE/R & B/KNR/7475/2004 DT.8/11/12

**EXHIBIT R3(B): TRUE COPY OF THE RELEVANT PAGES OF THE INSPECTION REPORT
DATED 7/3/14**

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.22596 of 2014

Dated this the 11th day of June, 2015

JUDGMENT

The petitioner challenges Ext.P4 demand notice under Section 7 of the Revenue Recovery Act. The demand notice is for Rs.46,49,266/-

2. It is submitted by the learned Government Pleader that the demand is now being varied and new proposal is made.

In that view of the matter, Ext.P4 is quashed and it is open for the petitioner to challenge any further proceedings if fresh demand is made.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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