

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 24TH DAY OF JULY 2015/2ND SRAVANA, 1937

WP(C).No. 22389 of 2015 (W)

PETITIONER :

**RAMAKRISHNAN, S/O.BALAN NAIR,
MELEPPAT HOUSE, AMAYOOR,
PATTAMBI.**

**BY ADVS.SRI.K.B.ARUNKUMAR
SRI.RANJIT BABU**

RESPONDENT(S):

- 1. THE DISTRICT COLLECTOR,
(DT (RR)), CIVIL STATION, PALAKKAD, PIN-679 001**
- 2. THE VILLAGE OFFICER,
PATTAMBI VILLAGE, PATTAMBI TALUK,
PALAKKAD DISTRICT, PIN-679 303**
- 3. THE ORIENTAL INSURANCE COMPANY LTD.,
PRANAVAM BUILDING PATTAMBI, PALAKKAD DISTRICT,
PIN -679 303**

**R1 & R2 BY GOVERNMENT PLEADER SMT.M.T.SHEEBA
R3 BY SMT.K.S.SANTHI**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 24-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).No. 22389 of 2015 (W)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1: THE TRUE COPY OF THE AWARD IN OP(MV) NO.889/2011 ON THE FILE OF THE MOTOR ACCIDENT CLAIMS TRIBUNAL, OTTAPALAM.**
- P2: THE TRUE COPY OF THE DEMAND NOTICE DATED 10.06.2015 ISSUED BY THE 1ST RESPONDENT.**
- P3: THE TRUE COPY OF THE NOTICE DATED 10.06.2015 ISSUED BY THE 1ST RESPONDENT.**
- P4: THE TRUE COPY OF THE RECEIPT ISSUED TO THE PETITIONER.**

RESPONDENT(S)' EXHIBITS: **NIL**

/TRUE COPY/

P.A.TO JUDGE

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A.MUHAMED MUSTAQUE, J.

W.P.(C) No.22389 of 2015

Dated this the 24th day of July, 2015

JUDGMENT

The petitioner is liable to pay compensation amount as per the award of the Motor Accident Claims Tribunal, Ottapalam has approached Court challenging revenue recovery proceedings.

2. It appears that the petitioner initially had intended to file an appeal and he has deposited Rs.25,000/-. Now, it is submitted that the petitioner is not intend to file the appeal and he may be given time to discharge the entire liability by way of instalments.

Considering the facts and circumstances, this writ petition is disposed of with the following directions:

- i. The petitioner is permitted to withdraw Rs.25,000/- deposited before the Motor Accident Claims Tribunal, Ottappalam.
- ii. If such an application is filed by the petitioner in O.P. (MV) No.889/2011, the Motor Accident Claims Tribunal, Ottappalam shall permit the petitioner to withdraw the amount, if the amount is not already released to the Insurance Company.

- iii. If the amount has been released to the Insurance Company, that amount shall be adjusted against the liability of the petitioner.
- iv. The petitioner shall discharge the entire liability due to the Insurance Company in 15 equal monthly instalments starting from 20.8.2015.
- v. If the petitioner commits default in repaying anyone of the instalments, the respondents are free to proceed against the petitioner in accordance with law.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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