

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 10TH DAY OF AUGUST 2015/19TH SRAVANA, 1937

WP(C) .No. 22979 of 2015 (V)

PETITIONER(S) :

RADHIKA JAYAN,
AGED 45 YEARS W/O/. E.S.JAYAN,
ELANJIKADAN HOUSE, MANAVALASSERY,
MUKUNDAPURAM, THRISUR DISTRICT.

BY ADVS.SRI.M.G.KARTHIKEYAN
SRI.NIREESH MATHEW
SRI.N.VIJAYAKUMAR (CHILAVANOOR)

RESPONDENT(S) :

1. THE DISTRICT COLLECTOR & DISTRICT MAGISTRATE,
THRISSUR - 680 001.
2. THE COMMISSIONER OF LAND REVENUE,
PUBLIC OFFICE BUILDING, NEAR MUSEUM,
THIRUVANANTHAPURAM - 695 001.

BY SENIOR GOVERNMENT PLEADER SMT.SHOBANAMMA EAPEN.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
10-08-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

rvs.

APPENDIX

PETITIONER(S) ' EXHIBITS :

- EXT.P-1: PHOTOCOPY OF THE ORDER NO.G2-52852/07(1) DATED 22/07/2015 PASSED BY THE 1ST RESPONDENT.
- EXT.P-2: PHOTOCOPY OF THE EVIDENCE/STATEMENT OF THE DEPUTY TAHSILDAR (RR) , MUKUNDAPURAM TALUK, DATED 18/01/2013.
- EXT.P-3: PHOTOCOPY OF THE REPORT DATED 13/02/2013 FILED BY THE TAHSILDAR, MUKUNDAPURAM BEFORE THE DISTRICT COLLECTOR, THRISSUR.
- EXT.P-4: PHOTOCOPY OF THE EVIDENCE/STATEMENT OF SMT.RADHIKA JAYAN.
- EXT.P-5: PHOTOCOPY OF THE EVIDENCE/STATEMENT OF SRI.E.S.JAYAN, DATED 15/03/2013.
- EXT.P-6: PHOTOCOPY OF THE EVIDENCE/STATEMENT OF TAHSILDAR, MUKUNDAPURAM.
- EXT.P-7: PHOTOCOPY OF THE ORDER NO.G2-57827/05 DATED 30/04/2013 PASSED BY THE 1ST RESPONDENT.
- EXT.P-8: PHOTOCOPY OF THE JUDGMENT DATED 30/05/2013 IN WP(C) NO.13399/2013 PASSED BY THIS HON'BLE COURT.
- EXT.P-9: PHOTOCOPY OF THE ORDER NO.LR(B7)27716/13 DATED 14/08/2013 PASSED BY THE COMMISSIONER OF LAND REVENUE.
- EXT.P-10: PHOTOCOPY OF THE LETTER DATED 01/06/2014 ISSUED BY THE 1ST RESPONDENT.
- EXT.P-11: PHOTOCOPY OF THE JUDGMENT DATEWD 16/06/2014 IN WP(C)NO.15204/2014 PASSED BY THIS HON'BLE COURT.
- EXT.P-12: PHOTOCOPY OF THE REVISION PETITION DATED 28/07/2015 FILED DIRECTLY BEFORE THE 2ND RESPONDENT.
- EXT.P-13: PHOTOCOPY OF THE PETITION FOR STAY DATED 28/07/2015 FILED ALONG WITH EXT. P12 BEFORE THE 2ND RESPONDENT.
- EXT.P-14: PHOTOCOPY OF THE ACKNOWLEDGMENT LETTER EVIDENCING THE RECEIPT OF EXTS. P12 & P13 BY THE 2ND RESPONDENT.
- EXT.P-15: PHOTOCOPY OF THE ORDER NO.LRB7-32139/15 DATED 03/08/2015 DISMISSING EXT.P13 STAY PETITION.

RESPONDENT(S) ' EXHIBITS :

NIL.

/TRUE COPY/

P.A.TO JUDGE

RVS.

A. MUHAMED MUSTAQUE, J.

W.P(C). No. 22979 of 2015

Dated this the 10th day of August, 2015

J U D G M E N T

The petitioner is the wife of Sri.E.S.Jayan. Sri.E.S. Jayan has been arrested in terms of Section 65 of the Kerala Revenue Recovery Act for willfully non-paying the public dues.

2. Ext.P1 has been passed by the District Collector. Petitioner has approached the Commissioner of Land Revenue under Section 83(1) of the Kerala Revenue Recovery Act. Petitioner also moved an application for stay. The stay application was considered based on the interim order of this Court on 30.07.2015. Ext.P15 is the order passed by the Land Revenue Commissioner, rejecting the stay application.

3. The only prayer of the petitioner is that, Ext.P12 revision petition may be directed to be considered in a time bound manner.

4. In view of the fact that the petitioner's husband is in custody, there shall be a direction to the 2nd respondent to consider Ext.P12 within one month from the date of receipt of a copy of this judgment, after notice to the petitioner.

This writ petition is disposed of.

Sd/-

A. MUHAMED MUSTAQUE, JUDGE.