

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 6TH DAY OF AUGUST 2015/15TH SRAVANA, 1937

WP(C).No. 23857 of 2015 (F)

PETITIONER :

SAJEEVAN K.V., AGED 42 YEARS,
S/O.VELAYUDHAN, KOONANGATTU HOUSE,
CHANDIROOR P.O, CHERTHALA - 688 547.

BY ADVS.SRI.PRAVEEN K. JOY
SRI.NIXON PAUL
SRI.E.S.SANEEJ

RESPONDENT(S):

1. THE DISTRICT COLLECTOR,
ALAPPUZHA DISTRICT-688 001
2. DEPUTY TAHASILDAR (RR),
TALUK OFFICE, CHERTHALA,
ALAPPUZHA DISTRICT. PIN-688 001
3. VILLAGE OFFICER,
ARoor VILLAGE, CHERTHALA TALUK,
ALAPPUZHA DISTRICT. PIN-688 001
4. NATIONAL INSURANCE CO. LTD.,
HMT JUNCTION, KALAMASSERY, ERNAKULAM- 683 104.
5. MAHILAMANI SURENDRAN,AGED 63 YEARS,
W/O.LATE P.P.SURENDRAN, PUTHENTHARA HOUSE,
KUMBALANGI P.O., KUMBALANGI VILLAGE,
ERNAKULAM DIST, COCHIN -682 017
6. P.S.SANIL KUMAR,AGED 44 YEARS,
S/O.LATE P.P.SURENDRAN, PUTHENTHARA HOUSE,
KUMBALANGI P.O., KUMBALANGI VILLAGE, ERNAKULAM DIST,
COCHIN -682 017.
7. P.S.SUNIMOL,AGED 41 YEARS,
D/O.LATE P.P.SURENDRAN, PUTHENTHARA HOUSE,
KUMBALANGI P.O., KUMBALANGI VILLAGE, ERNAKULAM DIST,
COCHIN -682 017.

R1 TO R3 BY GOVERNMENT PLEADER SMT. M.T.SHEEBA
R4 BY ADV.SRI.M.A.GEORGE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 06-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

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APPENDIX

PETITIONER(S)' EXHIBITS

- P1: THE TRUE PHOTOCOPY OF THE LICENCE DATED 1/7/14
- P2: THE TRUE PHOTOCOPY OF THE HEAVY VEHICLE DRIVING LICENCE
PARTICULARS OF SUB REGIONAL TRANSPORT OFFICE, CHERTHALA
- P3: THE TRUE PHOTOCOPY OF THE DEMAND NOTICE DATED 15/7/15 FROM 2ND
RESPONDENT
- P4: THE TRUE PHOTOCOPY OF THE PETITION TO SET ASIDE EXPARTE AWARD
DATED 1/8/2015 BEFORE THE MOTOR ACCIDENTS CLAIM TRIBUNAL,
ERNAKULAM.
- P5: THE TRUE PHOTOCOPY OF THE PETITION TO CONDONE THE DELAY DATED
1/8/2015 BEFORE THE MOTOR ACCIDENTS CLAIM TRIBUNAL, ERNAKULAM
- P6: TRUE PHOTOCOPY OF PETITION BEFORE THE 1ST RESPONDENT

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

P.A.TO JUDGE

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A. MUHAMED MUSTAQUE, J.

W.P(C). No. 23857 of 2015

Dated this the 6th day of August, 2015

J U D G M E N T

Petitioner has approached this Court aggrieved by revenue recovery proceedings initiated by the respondents demanding the amount due under the MACT Award.

2. Petitioner submits that he was ex-parte and has filed an application to set aside the ex-parte Award.

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

(i) The MACT, Ernakulam is directed to consider the application filed by the petitioner to set aside Ex-parte Award within two months from the date of receipt of a copy of this judgment, after issuing notice to all parties concerned.

(ii) Revenue Recovery proceedings shall be deferred till the disposal of the application by the MACT.

This writ petition is disposed of.

**Sd/-
A. MUHAMED MUSTAQUE, JUDGE.**