

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. 24181 of 2015 (W)

PETITIONER(S):

**M/S. CHERUKATTU INDUSTRIES,
MARINE DIVISION, AROOR P.O., PIN-688 534,
ALAPPUZHA DISTRICT,
REPRESENTED BY ITS MANAGING PARTNER C.A.NAZAR.**

**BY ADVS.SRI.M.MOHAMED NAVAZ
SRI.T.PSAJAN
SRI.P.SANTHOSH KUMAR (TR)**

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY SECRETARY TO GOVERNMENT,
REVENUE DEPARTMENT, SECRETARIAT, TRIVANDRUM-695 001.**
- 2. DISTRICT COLLECTOR,
OFFICE OF THE DISTRICT COLLECTOR, ALAPPUZHA-688 001.**
- 3. DEPUTY THAHASILDAR,
REVENUE RECOVERY, TALUK OFFICE, CHERTHALA
ALAPPUZHA DISTRICT-688 547**
- 4. THE NATIONAL INSURANCE COMPANY LTD,
REPRESENTED BY ITS AUTHORIZED OFFICER DIVISIONAL OFFICE,
AJAY VIHAR, M.G.ROAD, KOCHI-682 016.**

**R1-3 BY GOVERNMENT PLEADER SMT.M.T.SHEEBA
R4 BY SRI.M.A.GEORGE**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 10-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1- TRUE COPY OF THE DRIVING LICENSE OF THE SECOND
RESPONDENT IN OP(MV) 1092/2012.**
- EXT.P2- TRUE COPY OF THE AWARD PASSED BY MOTOR ACCIDENTS CLAIMS
TRIBUNAL IN OP(MV) 1092/2012**
- EXT.P3- TRUE COPY OF THE DEMAND NOTICE DATED 15.07.2015 UNDER
SECTION 7 OF THE RR ACT IN THE NAME OF PETITIONER**
- EXT.P4- TRUE COPY OF THE DEMAND NOTICE 15.07.2015 UNDER SECTION 34
OF THE RR ACT IN THE NAME OF PETITIONER**
- EXT.P5- TRUE COPY OF THE REPRESENTATION SUBMITTED TO 3RD
RESPONDENT ON 21.07.2015**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A. MUHAMED MUSTAQUE, J.

W.P(C). No. 24181 of 2015

Dated this the 10th day of August, 2015

J U D G M E N T

The petitioner challenging revenue recovery proceedings has approached this Court. The liability of the petitioner is under the Award of Motor Accidents Claims Tribunal. Petitioner submits that he was an ex-parte and now he has taken steps to set aside the ex-parte Award.

2. In the facts and circumstances of the case, following directions are issued:

- (i) The revenue recovery proceedings against the petitioner shall be deferred for a period of 3 months from today.
- (ii) If the petitioner makes an application for setting aside the ex-parte Award, it shall be considered within two months from the date of moving such application before the Tribunal.

This writ petition is disposed of.

Sd/-

A. MUHAMED MUSTAQUE, JUDGE.