

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

MONDAY, THE 23RD DAY OF NOVEMBER 2015/2ND AGRAHAYANA, 1937

WP(C).No. 24515 of 2015 (L)

PETITIONER:

**NABEESA
S/O.K.M.SHAFI, R/AT KALLARAKKAL, KALANAD
CHEMMANAD PANCHAYATH, KASARAGOD.**

BY ADV. SRI.KODOTH SREEDHARAN

RESPONDENTS:

- 1. THE STATE OF KERALA
REPRESENTED BY ITS CHIEF SECRETARY, SECRETARIAT
THIRUVANANTHAPURAM - 695 001.**
- 2. TAHSILDAR,
REVENUE RECOVERY, KASARAGOD - 671 121**
- 3. ASSISTANT LABOUR OFFICER,
GRADE-I, KASARAGOD - 671 121**

R1-R3 BY ADV.R.RENJITH, GOVERNMENT PLEADER

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 23-11-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

WP(C).No. 24515 of 2015 (L)

APPENDIX

PETITIONER(S)' EXHIBITS:

- P1 : COPY OF THE CERTIFICATE DATED 21/03/2015 ISSUED BY THE PANCHAYATH**
- P2 : COPY OF THE DEMAND NOTICE DT.31/10/2014 ISSUED BY THE 2ND RESPONDENT.**

RESPONDENT(S)' EXHIBITS:

- R3(A) : COPY OF THE NOTICE DATED 08.08.2012**
- R3(B) : COPY OF THE POSTAL ACKNOWLEDGMENT**
- R3(C) : COPY OF THE COMMUNICATION DATED 07.05.2013**
- R3(D) : COPY OF THE SHOW CAUSE DATED 10.10.2013**

//TRUE COPY//

P.A. TO JUDGE

JV

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C).No.24515 of 2015

Dated this the 23rd day of November, 2015

JUDGMENT

The writ petition is filed challenging Ext.P2 demand notice that was issued to the petitioner under the Kerala Revenue Recovery Act for recovery of amounts confirmed against the petitioner by an order of the Assistant Labour Officer Grade-I, Kasaragod.

2. At the time of admission, it was submitted by the learned counsel for the petitioner that the basis of issuance of Ext.P2 demand notice was not known to the petitioner, and taking note of the said submission, this Court had directed the learned Government Pleader to find out whether any order has been passed and served on the petitioner.

By a counter affidavit filed on behalf of the 3rd respondent, the orders passed against the petitioner under the Building and

Other Construction Workers' Welfare Cess Act, 1996, have been produced by the 3rd respondent. Taking note of the said orders, it is submitted by the learned counsel for the petitioner that she will take necessary steps to file appeals against the said orders in accordance with the statutory provisions. Taking note of the said submission of the learned counsel for the petitioner, I dispose this writ petition by relegating the petitioner to her alternate remedy of filing statutory appeals against the orders produced along with the counter affidavit of the 3rd respondent. The interim order against recovery that was passed by this court on 12.08.2015 and extended from time to time, shall continue to be in operation for a period of three weeks from today, so as to enable the petitioner to pursue her statutory remedies.

SD/-
A.K.JAYASANKARAN NAMBIAR
JUDGE

JV