

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

MONDAY, THE 19TH DAY OF OCTOBER 2015/27TH ASWINA, 1937

WP(C).No. 26486 of 2015 (I)

PETITIONER(S):

**M.H.ABOOBACKER,
NALAKATH HOUSE, POOTHOLE, THRISSUR,
NOW RESIDING AT KALATHODE BROTHER LANE,
OLLUKKARA P.O, THRISSUR.**

**BY ADVS.SRI.K.B.GANGESH
SMT.SMITHA CHATHANARAMBATH
SMT.ATHIRA A.MENON**

RESPONDENT(S):

- 1. THE DEPUTY TAHSILDAR,
REVENUE RECOVERY, TALUK OFFICE, THRISSUR 20.**
- 2. THE VILLAGE OFFICER,
OLLUKKARA VILLAGE, OLLUKKARA P.O, THRISSUR 680 655.**
- 3. THE DISTRICT COLLECTOR
AYYANTHOLE COLLECTORATE, AYYANTHOLE, THRISSUR 680 003.**
- 4. KAMALA,
W/O.LATE PUSHPARAJAN, VALIATH HOUSE, THALIKULAM P.O,
THRISSUR 680 569.**
- 5. SHEEBA,
D/O.LATE PUSHPARAJAN, VALIATH HOUSE, THALIKULAM P.O,
THRISSUR 680 569.**
- 6. SHIBU,
S/O.LATE PUSHPARAJAN, VALIATH HOUSE, THALIKULAM P.O,
THRISSUR 680 569.**

**R1-3 BY GOVERNMENT PLEADER SRI.RENJITH
R4-R6 BY ADV. SRI.V.BINOY RAM**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 19-10-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1. COPY OF THE AWARD IN OPMV NO.620/2002 DATED 26.9.2008.**
- EXHIBIT P2. COPY OF THE COMMON AWARD PASSED BY THE LOK ADALAT ON 22.6.11 IN MACA NOS. 1247/2009 AND 1267/2009.**
- EXHIBIT P3. COPY OF THE ORDER DATED 30.06.2015 PASSED BY MOTOR ACCIDENTS CLAIMS TRIBUNAL THRISSUR IN EP NO.109/2012 IN OPMV NO.620/2002 DATED 30.6.15.**
- EXHIBIT P4. COPY OF THE DEMAND NOTICE ISSUED TO THE PETITIONER UNDER SECTION 7 OF THE REVENUE RECOVERY ACT BY THE IST RESPONDENT.**
- EXHIBIT P5. COPY OF THE DEMAND MADE BEFORE ATTACHEMENT OF IMMOVABLE PROPERTY UNDER SECTION 34 OF THE REVENUE RECOVERY ACT ISSUED BY THE IST RESPONDENT.**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.K.JAYASANKARAN NAMBIAR, J.
.....
W.P.(C).No.26486 of 2015
.....
Dated this the 19th day of October, 2015

J U D G M E N T

It is submitted by counsel for the petitioner that, pursuant to the interim direction of this Court dated 02.09.2015, the petitioner had approached the Motor Accidents Claims Tribunal, Thrissur, for a modification of Ext.P3 order which was passed in an execution petition in O.P(M).No.620 of 2002. It is stated that the Motor Accidents Claims Tribunal, Thrissur, has since passed an order dated 29.09.2015 lifting the attachment over the properties of the petitioner. Taking note of the said submission of counsel for the petitioner, and on a perusal of the order passed by the Motor Accidents Claims Tribunal, Thrissur, in E.A.No.75 of 2015 in E.P.No.109 of 2012 in OP(MV).No.620 of 2002, I allow the writ petition by quashing Exts.P4 and P5 revenue recovery notices in the writ petition.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE

mns/19.10.15

//true copy//

P.A To Judge

