

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

TUESDAY, THE 8TH DAY OF SEPTEMBER 2015/17TH BHADRA, 1937

WP(C).No. 35744 of 2007 (E)

PETITIONER:

K.M.KARTHIKEYAN, S/O.MADHAVA THANDAR, (EXPIRED)*
KAKKARAMSSERIL HOUSE, THIRUMALA BHAGAM,
THURAVOOR SOUTH VILLAGE, THURAVOOR.

ADDITIONAL PETITIONERS 2 TO 4 IMPEADED.

2. K.V. RADHAMMA, W/O. KARTHIKEYAN
KAKKARAMSSERIL HOUSE, THIRUMALA BHAGAM,
THURAVOOR SOUTH VILLAGE, THURAVOOR.
3. K.K. BIJIMOL, D/O. KARTHIKEYAN
KAKKARAMSSERIL HOUSE, THIRUMALA BHAGAM,
THURAVOOR SOUTH VILLAGE, THURAVOOR.
4. K.K. BINDUMOL, D/O. KARTHIKEYAN
KAKKARAMSSERIL HOUSE, THIRUMALA BHAGAM,
THURAVOOR SOUTH VILLAGE, THURAVOOR.

BEING THE LEGAL HEIRS OF DECCEASED PETITIONER, ARE IMPEADED AS PER
ORDER DATED 07.11.2013 IN IA NO. 14490/2013.

BY ADVS.SRI.T.P.SAJAN
SRI.L.ALOYSIUS THOMAS
SRI.P.SATHOSH KUMAR (THURAVOOR)

RESPONDENTS:

1. STATE OF KERALA REPRESENTED BY
SECRETARY TO GOVERNMENT,
REVENUE DEPARTMENT,
SECRETARIAT, TRIVANDRUM.
2. DISTRICT COLLECTOR, OFFICE OF THE
DISTRICT COLLECTOR, ALAPPUZHA.
3. DEPUTY COLLECTOR, REVENUE RECOVERY,
ALAPPUZHA DISTRICT.

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4. VILLAGE OFFICER, THURAVOOR SOUTH
VILLAGE, CHERTHALA TALUK.
5. THE SECRETARY,
BLOCK PANCHAYATH OFFICE,
PATTANAKKAD.
6. SECRETARY, THURAVOOR KARSHAKA SANGHAM,
REGISTER NO.41/79, THIRUMALA BHAGAM P.O.

R5 BY ADV. SRI.C.K.SAJEEV

R1 TO 4 BY SENIOR GOVERNMENT PLEADER SMT.ANITHA RAVINDRAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 08-09-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) EXHIBITS

- EXHIBIT P1 : TRUE COPY OF THE MINUTES OF THE EMERGENCY COMMITTEE DATED 24.03.2003 OF THE 6TH RESPONDENT.
- EXHIBIT P2 : TRUE COPY OF THE MINUTES OF THE EMERGENCY COMMITTEE DATED 06.04.2003 OF THE 6TH RESPONDENT.
- EXHIBIT P3 : TRUE COPY OF THE AGREEMENT DATED 29.03.2003.
- EXHIBIT P4 : TRUE COPY OF THE PETITION FILED BY THE 6TH RESPONDENT BEFORE THE MUNSIFFS COURT CHERTHALA IN OS 613/2004.
- EXHIBIT P5 : TRUE COPY OF THE NOTICE DATED 23.06.2006 ISSUED BY THE 5TH RESPONDENT.
- EXHIBIT P6 : TRUE COPY OF THE EXPLANATION SUBMITTED BY THE PETITIONER BEFORE THE 5TH RESPONDENT.
- EXHIBIT P7 : TRUE COPY OF THE DEMAND NOTICE ISSUED BY THE 3RD RESPONDENT.
- EXHIBIT P8 : TRUE COPY OF THE DEMAND NOTICE ISSUED BY THE 3RD RESPONDENT.
- EXHIBIT P9 : TRUE COPY OF THE REPRESENTATION FILED BY THE PETITIONER BEFORE THE 3RD RESPONDENT.
- EXHIBIT P10 : TRUE COPY OF THE APPLICATION DATED 03.03.2014 SUBMITTED BEFORE THE 4TH RESPONDENT.

RESPONDENT(S) EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

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Dated this the 8th day of September, 2015

JUDGMENT

The writ petition was filed challenging the revenue recovery proceedings initiated against the original petitioner on the premise that he was the Convenor of the Panchayat Committee. The Block Panchayat has now taken Ext.P10 decision absolving the original petitioner from the liability whose assets cannot therefore be proceeded against for the dues.

2. The revenue recovery proceedings evidenced by Exts.P7 and P8 notices as against the original petitioner are quashed. The Block Panchayat is at liberty to proceed against those who have been found liable as per Ext.P10 decision.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**

ncd