

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

TUESDAY, THE 13TH DAY OF OCTOBER 2015/21ST ASWINA, 1937

WP(C).No. 31029 of 2015 (C)

PETITIONER :

**RAHIM. V. A., S/O. ABOOBACKER.C.H.,
SHYJIGHAR, PERINGADI, KANNUR DISTRICT.**

**BY ADVS.SRI.M.SHAJU PURUSHOTHAMAN
SRI.K.S.RAJESH**

RESPONDENT(S):

- 1. STATE OF KERALA,
REP. BY THE SECRETARY, REVENUE DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM-695 001**
- 2. THE THAHSILDAR (REVENUE RECOVERY),
THALASSERY-670 101**
- 3. THE VILLAGE OFFICER, NEW MAHI VILLAGE,
THALASSERY TALUK-670 101**
- 4. THE OFFICIAL LIQUIDATOR, HIGH COURT OF KERALA,
COMPANY LAW BHAVAN, BMS ROAD, THRIKKAKARA,
ERNAKULAM-682 021**

**R1 TO R3 BY GOVERNMENT PLEADER SRI.LIJU V. STEPHEN
R4 BY ADV. SRI.K.MONI**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 13-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).NO.31029/2015

APPENDIX

PETITIONER'S EXHIBITS:

P1 AND P1(A) COPY OF THE REVENUE RECOVERY NOTICES DATED 27/3/2015.

RESPONDENT'S EXHIBITS: NIL

/TRUE COPY/

P.A.TO JUDGE

sts

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C). No. 31029 of 2015

Dated this the 13th day of October, 2015

JUDGMENT

The petitioner, who is faced with the revenue recovery steps for recovery of an amount of Rs.1,72,248/- together with interest and other charges, seeks a facility of installments to discharge the liability due to the respondent.

2. I have heard the learned counsel appearing for the petitioner, the learned Standing Counsel appearing for the 4th respondent as also the learned Government Pleader appearing for the respondents 1 to 3.

On a consideration of the facts and circumstances of the case as also the submissions made across the bar, and Taking into account the plea of financial hardship raised by the petitioner, I dispose the writ petition with the following directions:-

- (i) The total amount due from the petitioner to the respondent is stated to be Rs.1,72,248/- together with interest and other charges. Accordingly, if the petitioner remits the aforesaid amount of Rs.1,72,248/- together with interest and other charges in ten equal and successive monthly installments commencing from

01.11.2015, then the recovery steps initiated against the petitioner shall be kept in abeyance.

- (ii) It is made clear that if the petitioner commits a default in respect of any of the installments, he will lose the benefit of this judgment and the respondents will be free to continue the recovery proceedings against him from the stage at which they presently stand.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE