IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

THURSDAY, THE 15TH DAY OF OCTOBER 2015/23RD ASWINA, 1937

WP(C).No. 31508 of 2015 (K)

PETITIONER(S):

GOPALAKRISHNA PILLAI, KALATHIL VEEIL,
MENAMPALLI MURI, PERINGALA,
ALAPPUZHA DISTRICT, KERALA.

BY ADVS.SRI.GEORGE VARGHESE(PERUMPALLIKUTTIYIL)
SRI.A.R.DILEEP
SRI.MANU SEBASTIAN

RESPONDENT(S):

1. **STATE OF KERALA,**
REPRESENTED BY SECRETARY TO THE DEPARTMENT OF REVENUE,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695001.

2. **DISTRICT COLLECTOR, PALAKKAD-678001.**

3. **TAHSILDAR, TALUK OFFICE, MAVELIKARA-690101.**

4. **DEPUTY TAHSILDAR, TALUK OFFICE, MAVELIKARA-690101.**

5. **ANILKUMAR, THACHITTI VADAKKATHIL,**
PUTHIYAKAVU, MAVELIKARA-690101.

R1-4 BY GOVERNMENT PLEADER SMT.LILLY K.T.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 15-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PJ

WP(C).No. 31508 of 2015 (K)

APPENDIX

PETITIONERS' EXHIBITS

P1: COPY OF NOTICE DATED 10/9/15 ISSUED BY THE R4 UNDER SECTION 7 OF THE REVENUE RECOVERY ACT

P2: COPY OF NOTICE DATED 10/9/15 ISSUED BY THE R4 UNDER SECTION 34 OF THE REVENUE RECOVERY ACT

P3: COPY OF AWARD DATED 20/5/14 IN OP(MV)592/05 ON THE FILE OF THE MACT, MAVELIKARA.

RESPONDENTS' EXHIBIT

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C).NO.31508 OF 2015 (K)

Dated this the 15th day of October, 2015

J U D G M E N T

The petitioner, who is faced with recovery steps for recovery for amounts confirmed against him by the award of the Motor Accidents Claims Tribunal, Mavelikkara, seeks grant of installments for discharging the liability in Exts.P1 and P2 notices issued to him.

2. I have heard the learned counsel for the petitioner as also the learned Government Pleader for the respondents.

3. On a consideration of the facts and circumstances of the case and the submissions made across the bar, I note that the sole prayer of the petitioner is to permit him to remit the balance amounts outstanding in easy installments. 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 outstanding from the petitioner as is discernible from Exts.P1 and P2 notices, is stated to be Rs.86,349/- together with interest and

collection charges. Accordingly, if the petitioner pays the said amount of Rs.86,349/- together with interest and collection charges in eight equal and successive monthly installments commencing from 02.11.2015, then the further proceedings initiated against him by the respondents shall be kept in abeyance.

(ii) It is further 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.

A.K.JAYASANKARAN NAMBIAR
JUDGE

prp/15/10/15