

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

WEDNESDAY, THE 21ST DAY OF OCTOBER 2015/29TH ASWINA, 1937

WP(C).No. 32166 of 2015 (U)

PETITIONER(S):

**PRAJEESH, S/O.VELAYUDHAN,
AGED 28 YEARS, CHIRAYIL HOUSE,
CHENAKKALANGADI P.O., THENHIPALAM (VIA),
MALAPPURAM DISTRICT-673 636.**

**BY ADVS.SRI.K.P.SUDHEER,
SRI.ARUN MATHEW VADAKKAN.**

RESPONDENT(S):

- 1. DEPUTY TAHSILDAR (RR),
TALUK OFFICE, TIRUR, TIRURANGADI,
MALAPPURAM DISTRICT-673 306.**
- 2. THE ORIENTAL INSURANCE CO. LTD.,
JASEELA COMPLEX, NILAMBUR ROAD,
MANJERI, MALAPPURAM DISTRICT-676 121.**
- 3. MUHAMMED SHAFI, S/O.ABDULLA,
POKKATTUNGAL KIZHAKKEYIL HOUSE,
CHENAKKALANGADI P.O., THENHIPALAM (VIA),
MALAPPURAM DISTRICT-673 636.**

**R1 BY GOVT. PLEADER SMT.LILLY K.T.
R2 BY ADV. SMT.K.S.SANTHI, SC.**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 21-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- EXT.P1 COPY OF THE AWARD DATED 30/09/2013 IN OP(MV) NO.927/2012
ON THE FILE OF THE MOTOR ACCIDENT CLAIMS TRIBUNAL, TIRUR.
- EXT.P2 COPY OF THE DEMAND NOTICE NO.2015/539/10/600 DATED 08/09/2015
ISSUED BY THE 1ST RESPONDENT.
- EXT.P3 COPY OF THE I.A. NO.4053/2015 IN OP(MV) NO.927/2012
DATED 15/10/2015 FILED BY THE PETITIONER BEFORE THE
MOTOR ACCIDENT CLAIMS TRIBUNAL, TIRUR.
- EXT.P4 COPY OF THE I.A. NO.4054/2015 IN OP(MV) NO.927/2012
DATED 15/10/2015 FILED BY THE PETITIONER BEFORE THE
MOTOR ACCIDENTS CLAIMS TRIBUNAL, TIRUR.

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C). No. 32166 of 2015

Dated this the 21st day of October, 2015

JUDGMENT

The petitioner, who is faced with revenue recovery proceedings for recovery of amounts confirmed against him by an award of the Motor Accident Claims Tribunal, Tirur, seeks a direction to the MACT, Tirur, before which Exts.P3 and P4 applications filed by the petitioner for condonation of delay, and for setting aside the award that is stated to have been passed ex parte, is pending, to pass orders on the said applications and to keep the recovery steps initiated against him by Ext.P2 notice in abeyance till such time as the MACT, Tirur, has had occasion to consider and pass orders in Exts.P3 and P4 applications.

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

On a consideration of the facts and circumstances of the case and the submissions made across the bar, I dispose the writ petition with a direction to the MACT, Tirur, to consider and pass orders on IA Nos.4053 and 4054 of 2015 in OP(MV) No.927 of 2012, within a period of three months from the date of receipt of a

copy of this judgment, after hearing the petitioner. I make it clear that, till such time as orders are passed by the MACT, Tirur, in the I.A.s referred to above, the recovery steps initiated against the petitioner by Ext.P2 shall be kept in abeyance.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE