

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

TUESDAY, THE 27TH DAY OF OCTOBER 2015/5TH KARTHIKA, 1937

WP(C).No. 32483 of 2015 (I)

PETITIONER :

**G. AJITH
AGED 49 YEARS, S/O. GOPIDAS, SREE VIHAR
MAYITHARA MARKET P.O, CHERTHALA.**

BY ADV. SMT.DIVYA C. BALAN

RESPONDENT(S) :

- 1. STATE OF KERALA
REPRESENTED BY ITS PRINCIPAL SECRETARY TO GOVERNMENT
REVENUE (H) DEPARTMENT, GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM – 695 001.**
- 2. THE DISTRICT COLLECTOR
ALAPPUZHA – 688 601.**
- 3. THE DEPUTY THAHSILDAR (R.R.)
CHERTHALA TALUK, CHERTHALA, ALAPPUZHA – 688 524.**
- 4. PERSONNEL MANAGER
THE KERALA COIR CORPORATION LTD.,
ALAPPUZHA – 688 005.**

**R1 TO R3 BY GOVT. PLEADER SMT. K.T. LILLY
R4 BY ADV. SRI.ASHOK B. SHENOY, SC**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 27-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

...2/-

APPENDIX

PETITIONER'S EXHIBITS :

- EXT.P1 : COPY OF THE COMMUNICATION DATED 11/11/2011 SENT TO THE
TRADE DEPARTMENT, EMBASSY OF RUSSIAN FEDERATION.
- EXT.P2 COPY OF THE DEMAND NOTICE UNDER SECTION 7 ISSUED BY THE
3RD RESPONDENT DATED 1/9/2015 FOR AN AMOUNT OF
RS. 24,21,501/-
- EXT.P2(a) COPY OF THE DEMAND NOTICE UNDER SECTION 34 ISSUED BY THE
3RD RESPONDENT DATED 1/9/2015 FOR AN AMOUNT OF
RS. 24,21,501/-/
- EXT.P3 COPY OF THE DEMAND NOTICE UNDER SECTION 7 ISSUED BY THE
3RD RESPONDENT DATED 1/9/2015 FOR AN AMOUNT OF
RS. 10,72,369/-.
- EXT.P3(a) COPY OF THE DEMAND NOTICE UNDER SECTION 34 ISSUED BY THE
3RD RESPONDENT DATED 1/9/2015 FOR AN AMOUNT OF
RS. 10,72,369/-.
- EXT.P4 COPY OF THE OBJECTION FILED BY THE PETITIONER TO THE 1ST
RESPONDENT REGARDING EXHIBITS P2 AND P2(a).
- EXT.P4(a) COPY OF THE OBJECTION FILED BY THE PETITIONER TO THE 1ST
RESPONDENT REGARDING EXHIBIT P3 AND P3(a).

RESPONDENT'S EXHIBITS : NIL

//TRUE COPY//

P.S. TO JUDGE

Mn

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C).NO.32483 OF 2015 (I)

Dated this the 27th day of October, 2015

J U D G M E N T

The petitioner, who is faced with recovery steps for recovery of amounts due to the 4th respondent, seeks only the grant of installment facility to discharge his liability due to the respondents.

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

On a consideration of the facts and circumstances of the case and the submissions made across the bar and also 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 to the 4th respondent from the petitioner, is stated to be Rs.34,93,870/- together with accrued interest. Accordingly, if the petitioner pays the said amount of Rs.34,93,870/- together with accrued interest in

six equal and successive monthly installments commencing from 16.11.2015, 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/27/10/15