

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. 32576 of 2015 (V)

PETITIONER :

**SUNITHA P.S., AGED 32 YEARS,
D/O. MANIYAN SASTHAVU, 7/670,
PARAKKAMUGHAL HOUSE,
KUSUMAGIRI P.O., KAKKANADU.**

BY ADV. SRI.BABU CHERUKARA

RESPONDENTS :

- 1. DEPUTY TAHSILDAR (RR), KANAYANNUR TALUK,
ERNAKULAM, KOCHI - 682011.**
- 2. UNITED INDIA INSURANCE CO.LTD.,
DIVISIONAL OFFICE, ERNAKULAM
JOSE TRUST BUILDING, CHITTOOR ROAD,
ERNAKULAM, COCHIN - 682035.**

**R1 BY GOVERNMENT PLEADER SMT.LILLY K.T.
R2 BY SRI.P.K.MANOJKUMAR,SC,**

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

bp

WP(C).No. 32576 of 2015 (V)

APPENDIX

PETITIONER'S EXHIBITS :

**P1: COPY OF THE IA NO. 4220 OF 2015 IN OP(M.V) NO. 914 OF 2013 DT 18/6/2015 O
THE MOTOR ACCIDENT CLAIMS TRIBUNAL ERNAKULAM.**

**P2: COPY OF THE REVENUE RECOVERY NOTICE ISSUED BY THE R1 TO THE
PETITIONER DT 19/9/2015.**

RESPONDENT'S EXHIBITS : NIL.

//TRUE COPY//

P.S. TO JUDGE

bp

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C).NO.32576 OF 2015 (V)

Dated this the 27th day of October, 2015

J U D G M E N T

The petitioner, who is faced with revenue recovery proceedings for recovery of an amount of Rs.79,457/- together with interest and other charges as detailed in Ext.P2 demand notice, seeks only grant of installment facility for discharging the liability due to the respondents.

2. I have heard the learned counsel appearing for the petitioner, the learned Government Pleader appearing for the 1st respondent as also the learned Standing counsel appearing for the 2nd respondent Insurance company.

3. 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) If the petitioner pays the amount of Rs.89,205/- together with interest and other charges as mentioned in Ext.P2 in twelve equal and successive monthly

installments commencing from 16.11.2015, then the further proceedings initiated against her 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, she will lose the benefit of this judgment and the respondents will be free to continue the recovery proceedings against her from the stage at which they presently stand.

A.K.JAYASANKARAN NAMBIAR
JUDGE

prp/27/10/15