

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

TUESDAY, THE 3RD DAY OF NOVEMBER 2015/12TH KARTHIKA, 1937

WP(C).No. 33378 of 2015 (V)

PETITIONER(S):

**PONNAMMA RAVEENDRAN, W/O.RAVEENDRAN,
KARIMBAKKUZHAYIL (NAMBITHANATHU) HOUSE,
KAVALASSERRY KARA, KADUTHURUTHY VILLAGE,
VAIKKOM TALUK, KOTTAYAM DISTRICT.**

BY ADV. SRI.K.SUNILKUMAR

RESPONDENT(S):

- 1. THE DISTRICT COLLECTOR, COLLECTORATE,
KOTTAYAM-686001.**
- 2. THE SPECIAL DEPUTY TAHSILDAR (R.R),
TALUK OFFICE, VAIKOM-686141.**

BY GOVERNMENT PLEADER SMT.LILLY K.T.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 03-11-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

WP(C).No. 33378 of 2015 (V)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1- TRUE COPY OF THE DEMAND NOTICE DAED 21/7/15 ISSUED BY THE
R2 TO THE PETIONER**

**EXHIBIT P2- TRUE COPY OF THE NOTICE NO.G4-8835/2015 DATED NIL ISSUED BY
THE R2 TO THE PETITIONER**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C) No. 33378 of 2015

Dated this the 3rd day of November 2015

JUDGMENT

The petitioner, who is faced with the revenue recovery proceedings for recovery of an amount of Rs.45,245/- together with accrued interest and other charges, pursuant to the judgment of Judicial First class Magistrate Court-II, Vaikom, under Section 138 of the Negotiable Instruments Act, seeks only the relief of installments for effecting the payments due to the respondents.

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

3. On a consideration of the facts and circumstances of the case and the submissions made across the bar, I dispose the writ petition with the following directions:

- (i) The total amount due from the petitioner as discernible from Exts. P1 and P2 demand notices is, Rs.45,245/- together with accrued

interest and other charges. Accordingly, if the petitioner pays the aforesaid amount of Rs.45,245/- (Rupees forty five thousand two hundred and forty five only) together with accrued interest and other charges in six equal and successive monthly instalments, commencing from 30.11.2015, then further proceedings for recovery initiated against her by the respondents shall be kept in abeyance.

(ii) It is made clear that if the petitioner commits a default in respect of any of the instalments, 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.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE

sm/