

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR

MONDAY, THE 12TH DAY OF JANUARY 2015/22ND POUSHA, 1936

WP(C).No.35537 of 2014 (N)

PETITIONER:

**PAULOSEKUTTY.K.A,AGED 42 YEARS,
S/O.ABRAHAM,KARIKUNNATHU HOUSE,
MARITHAZHAM P.O.,KANJIRAMATTOM-682315.**

BY ADV. SRI.P.G.JAYASHANKAR

RESPONDENTS:

- 1. STATE OF KERALA,REPRESENTED BY ITS SECRETARY,
REVENUE DEPARTMENT,SECRETARIAT,TRIVANDRUM-695001.**
- 2. LAND REVENUE COMMISSIONER,
PUBLIC OFFICE BUILDINGS,OPP.MUSEUM,
REVENUE COMPLEX,THIRUVANANTHAPURAM-695006.**
- 3. DISTRICT COLLECTOR,ERNAKULAM,COLLECTORATE,
KAKKANADU,KOCHI-682030.**
- 4. SPECIAL TAHSILDAR (RR),KANAYANNUR TALUK,
TALUK OFFICE,ERNAKULAM-682015.**
- 5. THE MANAGER,RELIANCE GENERAL INSURANCE COMPANY LTD.,
XL/3599,4TH FLOOR,ELIZABETH ALEXANDER MEMORIAL BUILDING,
SHANMUGHAM ROAD,MARINE DRIVE,ERNAKULAM-682031.**

**R1 TO R4 BY SENIOR GOVT. PLEADER SMT.SHOBA ANNAMMA EAPEN.
R5 BY SRI.GEORGE CHERIAN (SENIOR ADVOCATE.)**

**ADVS.SMT.K.S.SANTHI
SMT.LATHA SUSAN CHERIAN**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 12-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

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WP(C).No.35537 of 2014 (N)

APPENDIX

PETITIONER'S EXHIBITS:

**EXT.P1:TRUE COPY OF THE COMMON ORDER DT.1-5-2013 IN OP(MV) 263/07 AND
OP(MV) 264/07 BY THE MACT, MUVATTUPUZHA.**

**EXT.P2:TRUE COPY OF THE REVENUE RECOVERY NOTICE BEARING
NO.2014/5090/7 DT.5-5-2014.**

**EXT.P3:TRUE COPY OF THE REVENUE RECOVERY NOTICE BEARING
NO.2014/5089/7 DT.5-5-2014.**

**EXT.P4:TRUE COPY OF THE MACA 3299/14 FILED BY THE PETITIONER, WITHOUT
ANNEXURE.**

**EXT.P5:TRUE COPY OF THE MACA 3300/14 FILED BY THE PETITIONER, WITHOUT
ANNEXURE.**

**EXT.P6:TRUE COPY OF THE CM.APPL.NO.3802/14 IN MACA 3300/14 FILED BY
THE PETITIONER.**

**EXT.P7:TRUE COPY OF THE IA 3812/14 IN MACA 3300/14 FILED BY THE
PETITIONER.**

**EXT.P8:TRUE COPY OF THE IA 3810/14 IN MACA 3299/14 FILED BY THE
PETITIONER.**

EXT.P9:TRUE COPY OF THE NOTICE BEARING NO.B5 5090/14 DT.22-11-2014.

EXT.P10:TRUE COPY OF THE REPRESENTATION DT.9-12-2014.

**EXT.P11:TRUE COPY OF THE PROCEEDINGS OF THE 3RD RESPONDENT
BEARING NO.B5 5090/14 DT.10-12-2014.**

**EXT.P12:TRUE COPY OF THE REPRESENTATION DT.23-12-14 BY THE
PETITIONER.**

EXT.P13:TRUE COPY OF THE ACKNOWLEDGMENT SLIP DT.23-12-2014.

EXT.P14:TRUE COPY OF THE REVISION PETITION FILED BY THE PETITIONER.

RESPONDENT'S EXHIBITS:

NIL

//TRUE COPY//

P.S. TO JUDGE

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A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C) No. 35537 of 2014 (N)
.....

Dated this the 12th day of January, 2015

JUDGMENT

The petitioner, against whom proceedings have been initiated in terms of the Kerala Revenue Recovery Act, 1968, is aggrieved by the threat of arrest, pursuant to Ext.P11 order, under circumstances where he has preferred Ext.P14 revision petition before the second respondent, which is pending consideration by the said respondent.

2.I have heard Sri. P.G.Jayashankar, learned counsel for the petitioner, learned Government Pleader appearing for the respondent Nos.1 to 4 and Smt.K.S.Santhi, learned counsel appearing for the fifth respondent.

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 a direction to the second respondent to consider and pass orders on Ext.P14 revision petition filed by the petitioner before him.

4.Further proceedings pursuant to Ext.P11 order of the third respondent shall be kept in abeyance till such time, as orders are

passed by the second respondent on Ext.P14 revision petition,
and communicated to the petitioner.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE

AMV/12/01/