

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

WEDNESDAY, THE 2ND DAY OF DECEMBER 2015/11TH AGRAHAYANA, 1937

WP(C).No. 36025 of 2015 (C)

PETITIONER :

**P.A. VARGHESE
S/O.OUSEPH, PARATHAZHATHU HOUSE, KAPIKAD
KALLARA P.O., KOTTAYAM DISTRICT-686 611.**

**BY ADVS.SRI.E.N.VISHNU NAMBOODIRI
SRI.R.REVIKUMAR
SRI.VINOD RAJKUMAR**

RESPONDENT(S) :

- 1. THE DISTRICT COLLECTOR
COLLECTORATE, KOTTAYAM, PIN-686 001.**
- 2. THE GENERAL MANAGER
DISTRICT INDUSTRIES CENTRE,
KOTTAYAM, PIN-686 001.**
- 3. THE ASSISTANT DISTRICT INDUSTRIES OFFICER,
VAIKOM P.O., KOTTAYAM DISTRICT, PIN-686 605.**
- 4. THE STATE OF KERALA
REPRESENTED BY THE SECRETARY
DEPARTMENT OF INDUSTRIES,
GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM-695 001.**
- 5. THE DEPUTY TAHSILDAR (RR)
TALUK OFFICE, VAIKOM, VAIKOM P.O.,
PIN-686 605.**

BY GOVT. PLEADER SRI. R. RANJITH

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 02-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

WP(C).No. 36025 of 2015 (C)

APPENDIX

PETITIONERS' EXHIBITS :

- EXT. P1 : TRUE COPY OF THE PROVISIONAL REGISTRATION CERTIFICATE OF
THE FACTORY ISSUED BY THE 1ST RESPONDENT DT 10-2-1994.
- EXT. P2 : TRUE COPY OF THE REPLY DT.24-4-2013 SUBMITTED TO THE
MINISTER FOR INDUSTRIAL DEPARTMENT BY THE PETITIONER.
- EXT. P3 : TRUE COPY OF THE NOTICE DT. 23-9-2015 ISSUED BY THE 5TH
RESPONDENT UNDER SECTION 34 OF THE REVENUE RECOVERY ACT.
- EXT. P4 : TRUE COPY OF THE NOTICE DT. 23-9-2015 ISSUED BY THE 5TH
RESPONDENT UNDER SECTION 7 OF THE REVENUE RECOVERY ACT.

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C).No.36025 of 2015

.....
Dated this the 2nd day of December, 2015

J U D G M E N T

The petitioner has approached this Court aggrieved by the revenue recovery proceedings initiated against him for recovery of amounts that were advanced to him by way of margin money loan for purchasing machinery, land etc in connection with his industrial venture. When the matter was taken up for admission, it was pointed out by counsel for the petitioner that there were no steps taken by him to dispute the liability itself, and that he is taking steps to file a suit before the civil court disputing the liability. The limited prayer at this stage is for a stay of recovery proceedings so as to enable him to approach the civil court for appropriate remedies. Taking note of the said submission of counsel for the petitioner, I direct that recovery proceedings initiated against the petitioner by Exts.P3 and P4 notices shall be kept in abeyance for a period of three weeks so as to enable the petitioner to approach the civil court in the meanwhile.

**A.K.JAYASANKARAN NAMBIAR
JUDGE**

