

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

TUESDAY, THE 8TH DAY OF DECEMBER 2015/17TH AGRAHAYANA, 1937

WP(C).No. 37074 of 2015 (H)

PETITIONER :

**SUDHEESH,
AGED 43 YEARS, S/O. HARIDAS,
PARAMEL HOUSE, THIRUVAZHAYODU
VELLINEZHI, SRIKRISHNAPURAM,
CHERPULASSERI, PALAKKAD DISTRICT,
PIN - 679 513.**

**BY ADVS.SRI.SUNIL NAIR PALAKKAT
SRI.K.N.ABHILASH
SRI.M.A.AHAMMAD SAHEER**

RESPONDENT(S) :

- 1. THE DISTRICT COLLECTOR,
PALAKKAD DISTRICT, COLLECTORATE,
PALAKKAD - 679 001.**
- 2. THE DEPUTY TAHASILDAR
REVENUE RECOVERY, OTTAPPALAM TALUK
PALAKKAD DISTRICT - 679 101.**
- 3. THE VILLAGE OFFICER
VELLINEZHI VILLAGE, OTTAPPALAM TALUK
PALAKKAD DISTRICT - 679 101.**

R1 TO R3 BY GOVT. PLEADER SRI. R. RANJITH

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 08-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

...2/-

WP(C).No. 37074 of 2015 (H)

APPENDIX

PETITIONERS' EXHIBITS :

**EXT. P1 - THE TRUE COPY OF THE DEMAND NOTICE DT. 23.09.2015
U/S. 7 OF THE REVENUE RECOVERY ACT ISSUED BY THE WELFARE
FUND BOARD.**

**EXT. P2 - THE TRUE COPY OF THE DEMAND NOTICE DT. 23.09.2015 U/S. 34 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.37074 of 2015

.....

Dated this the 8th day of December, 2015

J U D G M E N T

The petitioner, who is faced with revenue recovery proceedings for recovery of amounts confirmed against him under the Kerala Toddy Workers Welfare Fund Act, seeks only the grant of instalments to discharge the liability.

2. I have heard the learned counsel appearing on behalf of the petitioner as also the learned Government Pleader appearing on behalf of 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 demanded from the petitioner as evidenced from Exts.P1 and P2 demand notices under the Kerala Revenue Recovery Act is seen to be Rs.3,59,325/- together with accrued interest and collection charges. Accordingly, if the petitioner pays an amount of Rs.3,59,325/- together with accrued interest and collection charges in ten equal and successive monthly instalments commencing from 28.12.2015, then further proceedings for recovery shall be kept in abeyance.

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

mns/08.12.15