

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

TUESDAY, THE 30TH DECEMBER 2008 / 9TH POUSHA 1930

WP(C).No. 38309 of 2008(I)

PETITIONER(S):

ANITHAKUMAR K.V.,  
W/O.LATE K.P.PRATHAPAN,  
PANJARAM, THENHIPALAM P.O.,  
MALAPPURAM DISTRICT.

BY ADV. SRI.SUNIL V.MOHAMMED

RESPONDENT(S):

1. THE DISTRICT COLLECTOR,  
MALAPPURAM DISTRICT.
2. THE DEPUTY TAHSILDAR (ARREAR COLLECTION)  
TALUK OFFICE, THIRURANGADI,  
MALAPPURAM DISTRICT.
3. THE VILLAGE OFFICER,  
MOONIYUR VILLAGE, MOONIYUR P.O.,  
THIRURANGADI TALUK, MALAPPURAM DISTRICT.
4. THE VILLAGE OFFICER,  
THENHIPALAM VILLAGE, THENHIPALAM P.O.,  
THIRURANGADI TALUK, MALAPPURAM DISTRICT.
5. THE BRANCH MANAGER,  
SYNDICATGE BANK, CALICUT-CHEROOTY ROAD  
BRANCH, KOZHIKODE.
6. T.C.SHANKARAN, S/O.CHATHAPPAN,  
ASSISTANT, UNIVERSITY OF CALICUT,  
CALIUCT UNIVERSITY P.O.,  
MALAPPURAM DISTRICT.

R1 TO R4 BY SR.GOV'T. PLEADER SMT.ANU SIVARAMAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 30/12/2008, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:

THOTTATHIL B.RADHAKRISHNAN, J.

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W.P(C).No.38309 OF 2008  
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Dated this the 30<sup>th</sup> day of December, 2008

JUDGMENT

The petitioner states that there can be no recovery proceedings in relation to some of the properties because those items, including movables and immovables, belong exclusively to her and not to her late husband K.P.Pratapan, who is a debtor. This is a matter that the petitioner has to agitate under the provisions of the Revenue Recovery Act before the competent authority. It is pointed out that Ext.P3 is pending in that regard. Under such circumstances, it is directed that Ext.P3 or any other claim petition filed by the petitioner in accordance with the RR Act will be considered by the competent authority in accordance with law. Further action against the petitioner will stand suspended on such decision. It is directed that any such decision shall be expedited and shall be taken within a period of three months from the date of receipt of a

copy of this judgment and a copy of this writ petition and any other petition that the petitioner may present along with a copy of the judgment, which shall be done within one week from the date of issuance of a copy of this judgment from this Court. The writ petition is ordered accordingly.

Sd/-

THOTTATHIL B.RADHAKRISHNAN,  
Judge.

k kb.