

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE ANTONY DOMINIC

WEDNESDAY, THE 27TH DAY OF MARCH 2013/6TH CHAITHRA 1935

WP(C).No. 8864 of 2013 (G)

PETITIONER:

**USHA, W/O. PRABHAKARA,
AGED 39 YEARS,
ICHILAMPADY HOUSE,
ICHILAMPADY.P.O AND VILLAGE,
KASARAGOD DISTRICT,
KERALA STATE.**

**BY ADVS.SRI.JACOB .E .SIMON,
SMT.SHAMEENA SALAHUDHEEN,
SRI.R.UDAYA KUMAR.**

RESPONDENTS:

- 1. NORTH MALABAR GRAMIN BANK,
PUTHIGE BRANCH, REPRESENTED BY IT'S MANAGER,
PIN – 671 121.**
- 2. THE TAHSILDAR (REVENUE RECOVERY),
KASARAGOD, PIN – 671 121.**
- 3. THE VILLAGE OFFICER,
ICHILAMPADY VILLAGE,
KASARAGOD DISTRICT, PIN – 671 123.**
- 4. THE DISTRICT COLLECTOR,
KASARAGOD, PIN – 671 121.**

**R1 BY SRI.DEVAN RAMACHANDRAN, S.C,
R2 TO R4 BY SR. GOVERNMENT PLEADER SRI. JOSEPH GEORGE.**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 27-03-2013, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Prv.

W.P.(C). NO.8864/2013-G:

APPENDIX

PETITIONER'S EXHIBITS:

- EXT.P.1: COPY OF THE DEMAND NOTICES UNDER SECTION 7 OF REVENUE RECOVERY ACT FOR AN AMOUNT OF RS. 42000/- DTD. 27/06/2012.**
- EXT.P.2: COPY OF THE DEMAND NOTICES UNDER SECTION 34 OF REVENUE RECOVERY ACT FOR AN AMOUNT OF RS.42000/- DTD. 27/06/2012 ALONG WITH A READABLE COPY.**
- EXT.P.3: COPY OF THE OBJECTION FILED BEFORE THE R.2. REQUESTING TO DROP ALL THE PROCEEDINGS AGAINST HER.**
- EXT.P.4: COPY OF THE OBJECTION FILED BEFORE THE R.3. REQUESTING TO DROP ALL THE PROCEEDINGS AGAINST HER.**

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

P.A. TO JUDGE

Prv.

ANTONY DOMINIC, J

W.P.(C).8864/2013

Dated this the 27th day of March, 2013

JUDGMENT

Petitioner says that at the instance of the 1st respondent Bank, for recovering the dues of her deceased husband, revenue recovery proceedings have been initiated against her and her co-applicant. There upon, petitioner filed Ext.P3 and P4 objections contending that she has not been inherited any asset of the deceased and therefore, is not liable to be proceeded against. Despite having filed the objections, orders have not been passed and recovery is being continued. Hence this writ petition.

2. In the above circumstances, if the petitioner has filed Exts.P3 and P4 objections, respondents should have dealt with the same. Therefore, I dispose of this writ petition directing the 2nd respondent to deal with Exts.P3 and P4 objections filed by the petitioner objecting to Exts.P1 and P2. This the 2nd respondent shall do within six weeks of receipt of a copy of this judgment and in the meantime, further proceedings pursuant to Exts.P1 and P2 shall be kept in abeyance insofar as the petitioner is concerned.

Petitioner will produce a copy of this judgment along with a copy of the writ petition before the 2nd respondent for compliance.

Sd/- ANTONY DOMINIC, JUDGE

mrCS

/true copy/

sd/- P.A. To Judge