

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 30TH DAY OF JUNE 2015/9TH ASHADHA, 1937

WP(C).No. 19584 of 2015 (W)

PETITIONER :

**BENNY MANI, AGED 47 YEARS,
S/O.MANI, NEDUNGATTU HOUSE, PAINGOTTOOR POST,
KADAVOOR VILLAGE, ERNAKULAM DISTRICT, 686671.**

**BY ADVS.SRI.JAISON JOSEPH
SRI.P.S.APPU**

RESPONDENTS :

- 1. MARY, AGED 65 YEARS
W/O.ULAHANNAN @ KUNJAPPAN
RESIDING AT MUNDANCHIRAYIL, KULAPPURAM KARA
PAINGOTTOOR POST, ERNAKULAM DISTRICT, PIN 686671.**
- 2. SAJI, AGED 41 YEARS
S/O.ULAHANNAN @ KUNJAPPAN
RESIDING AT MUNDANCHIRAYIL, KULAPPURAM KARA
PAINGOTTOOR POST, ERNAKULAM DISTRICT, PIN 686671.**
- 3. SHINY, AGED 39 YEARS
W/O.GEORGE, KODUVELIL HOUSE, PAINGOTTOOR POST
ERNAKULAM DISTRICT, PIN 686671.**
- 4. SHAJU, AGED 37 YEARS
S/O.ULAHANNAN @ KUNJAPPAN
RESIDING AT MUNDANCHIRAYIL, KULAPPURAM KARA
PAINGOTTOOR POST, ERNAKULAM DISTRICT, PIN 686671.**
- 5. SHIBU, AGED 36 YEARS
S/O.ULAHANNAN @ KUNJAPPAN
RESIDING AT MUNDANCHIRAYIL, KULAPPURAM KARA
PAINGOTTOOR POST, ERNAKULAM DISTRICT, PIN 686671.**
- 6. SANTHOSH, AGED 34 YEARS
S/O.ULAHANNAN @ KUNJAPPAN
RESIDING AT MUNDANCHIRAYIL, KULAPPURAM KARA
PAINGOTTOOR POST, ERNAKULAM DISTRICT, PIN 686671.**

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- 7. PIOUS MANI
NEDUNGATTU HOUSE, PAINGOTTOOR POST, KADAVOOR VILLAGE
ERNAKULAM DISTRICT, PIN 686671.**
- 8. NATIONAL INSURANCE COMPANY LIMITED
THODUPUZHA, ERNAKULAM DSITRICT, PIN 685584.**
- 9. THE TAHSILDAR
REVENUE RECOVERY, TALUK OFFICE, KOTHAMANGALAM
ERNAKULAM, PIN 686691.**

**BY SRI.M.A.GEORGE
R8 & R9 BY SENIOR GOVERNMENT PLEADER
SMT. SHOBA ANNAMMA EAPPEN**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 30-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT-P1: TRUE PHOTOSTAT COPY OF THE AWARD DATED 21.05.2012 MADE IN O.P.(MV) NO.1054/2006 ON THE FILE OF THE MOTOR ACCIDENT CLAIMS TRIBUNAL, MUVATTUPUZHA.

EXHIBIT-P2: TRUE PHOTOSTAT COPY OF NOTICE ISSUED BY THE DEPUTY THAHASILDAR (REVENUE RECOVERY), KOTHAMANGALAM, DATED 5.5.2015 U/S 7 OF RR ACT.

EXHIBIT-P3: TRUE PHOTOSTAT COPY OF NOTICE ISSUED BY THE DEPUTY THAHASILDAR (REVENUE RECOVERY), KOTHAMANGALAM, DATED 5.5.2015 U/S 34 OF RR ACT.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.19584 of 2015

Dated this the 30th day of June, 2015

J U D G M E N T

The petitioner has approached this Court impugning revenue recovery proceedings based on the MACT award produced as Ext.P1.

2. The petitioner submits that, he has already filed an appeal along with delay condonation petition.

3. In that view of the matter, the revenue recovery proceedings against the petitioner shall be deferred for a period of three months to work out alternate remedy in appeal.

This writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE.