

(2023) 10 KL CK 0227

In the High Court Of Kerala

Case No : Writ Petition (C) No. 34777 Of 2023

Leela Krishnan

APPELLANT

Vs

Babu

RESPONDENT

Date of Decision : 27-10-2023

Acts Referred:

Constitution of India, 1950 — Article 226, 227

Citation : (2023) 10 KL CK 0227

Hon'ble Judges : Dinesh Kumar Singh, J

Bench : Single Bench

Advocate : Joseph George, Nikita Nair C.S., P.A.Rejimon, Sajeev John T., S. Gopinathan

Final Decision : Dismissed

Judgement

Dinesh Kumar Singh, J

1. The present writ petition under Article 226/227 of the Constitution of India has been filed seeking the following reliefs:

“(i) Call for the records leading to the issuance of the originals of Exhibits and P-3 and set aside both, Exhibits P-2 and P-3 by issuing a wri certiorari or other appropriate writ, order or direction;

(ii) Issue a writ of mandamus or other appropriate writ, order or direction commanding the 5th and 6th respondents to defer the recovery steps against the petitioner for a period of six months.

(iii) grant such other and further reliefs as this Hon'ble court may deem fit and proper in the circumstances of the case including costs;

(iv) dispense with the filing of translation of vernacular documents.”

2. Unless the Award dated 08.10.2020 passed in O.P.(MV) No.912/2017 is set aside, the impugned Revenue Recovery notices to give effect to the Award

cannot be questioned. The petitioner has not challenged the Award in Ext.P1 in appropriate proceedings till date.

3. This Court, therefore, cannot stay the impugned notices which are nothing but the major to give effect to the Award. This writ petition is wholly misconceived, which is hereby dismissed.