

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

MONDAY, THE 18TH DAY OF SEPTEMBER 2023 / 27TH BHADRA, 1945

WP(C) NO. 19614 OF 2023

PETITIONER:

AKBAR P. T.,
AGED 55 YEARS
S/O RUKIYA AL-JIYAD, CIVIL STATION P. O., VENGARI
VILLAGE, KOZHIKODE DISTRICT, PIN - 673 020.

BY ADVS.
ADITHYA RAJEEV
S.PARVATHI

RESPONDENTS:

- 1 THE DISTRICT COLLECTOR,
KOZHIKODE, COLLECTORATE, CIVIL STATION P.O,
KOZHIKODE DISTRICT, PIN - 673 020.
- 2 THE DEPUTY TAHSILDAR,
WAYANAD ROAD, CIVIL STATION P.O, KOZHIKODE DISTRICT.,
PIN - 673 020.
- 3 SHERISTADAR,
IIND ADDITIONAL MOTOR ACCIDENT CLAIMS TRIBUNAL,
KOZHIKODE DISTRICT COURT COMPLEX, CHEROOTY ROAD,
KOZHIKODE DISTRICT., PIN - 673 032.
- 4 CICILY C.A,
W/O MATHEW K.J, AGED 67 YEARS, VINCIYA, ASHOKAPURAM,
KACHERI VILLAGE, KOZHIKODE DISTRICT., PIN - 673 001.

BY ADVS.
A.D.DIVYA
SABIN BABU

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
18.09.2023, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

DINESH KUMAR SINGH, J.

WP(C) NO. 19614 OF 2023

Dated this the 18th day of September, 2023

J U D G M E N T

1. The present Writ Petition has been filed impugning the Demand Notice dated 29.04.2022 and the Revenue Recovery Notice dated 29.04.2022 issued in pursuance to the award dated 22.09.2020 in O.P. (M.V) No.78 of 2019 passed by the II Additional Motor Accidents Claims Tribunal, Kozhikode.

2. During the pendency of this Writ Petition, the parties were referred to the mediation centre of the District Court, Kozhikode. The parties settled the amount of compensation to Rs.2,75,000/- (Rupees Two Lakhs Seventy Five Thousand only) by the agreement arrived at between the parties at the mediation centre, Kozhikode. For the

Kozhikode Mediation Centre has been pressed on record. As per the report of the said Mediation Centre, the parties have agreed for an amount of Rs.2,75,000/- (Rupees Two Lakhs Seventy Five Thousand only). The petitioner had already deposited an amount of Rs.50,000/- (Rupees Fifty Thousand) before the MACT Kozhikode. The remaining amount of Rs.2,25,000/- has been agreed to be paid in two installments. As per this agreement before the mediation centre, Rs.1,00,000/- (Rupees One lakh only) is to be paid on or before 13.10.2023 and remaining Rs.1,25,000/- (Rupees One Lakh Twenty Five Thousand) is to be paid on or before 13.12.2023.

3. Considering the fact that the parties have settled the dispute outside the Court, and the petitioner is ready to abide by the terms of the agreement dated 14.08.2023, the present writ petition is disposed of with directions to the

petitioner to abide by the terms of the agreement dated 14.08.2023 signed before the Mediation Centre, Kozhikode. In case, the petitioner fails to abide by the terms and conditions of the said agreement, the impugned notices Ext.P2 and Ext. P3 shall get revived and reinforced.

Sd/-
DINESH KUMAR SINGH
JUDGE

rpr

APPENDIX OF WP(C) 19614/2023

PETITIONER'S EXHIBITS

Exhibit-P1	A TRUE COPY OF THE AWARD DATED 22.09.2020 IN O.P (M.V) NO. 78 OF 2019 OF THE II ADDITIONAL MOTOR ACCIDENTS CLAIMS TRIBUNAL, KOZHIKODE
Exhibit-P2	A TRUE COPY OF THE DEMAND NOTICE DATED 29.04.2022 ISSUED BY THE 2ND RESPONDENT
Exhibit-P3	A TRUE COPY OF THE NOTICE DATED 29.04.2022 ISSUED BY THE 2ND RESPONDENT