



**GOVERNMENT OF KERALA**

**Abstract**

Local Self Government Department - Order dated 14.03.2019 of the Hon'ble Tribunal in T.A.5244/12(WP(C)6595/2004) filed by Shri.P.M.Aziz Rawther - Orders issued.

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**Local Self Government (EPB) Department**

**G.O.(Rt)No.1041/2021/LSGD** Dated,Thiruvananthapuram, 25/05/2021

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Read 1 Order dated 14.03.2019 of the Hon'ble Tribunal in T.A.5244/12(WP(C)6595/2004) filed by Shri.P.M.Aziz Rawther.

**ORDER**

Shri.P.M.Aziz Rawther has filed T.A.5244/12(WP(C)6595/2004) before the Hon'ble Kerala Administrative Tribunal aggrieved on the Expt.P1 Revenue Recovery Notice seeking to release an amount of Rs.1,84,466/- which is stated to be due to the Panchayat. The applicant has submitted that no notice regarding any liability has been served to him at any point of time. Further the applicant retired from service on 31/10/1999 and a demand notice issued after a long period of time will not be sustained.

2. The Hon'ble Kerala Administrative Tribunal has accepted the contention of the applicant that no notice or order was issued to him prior to Ext.P1 and also ordered that Revenue Recovery proceedings cannot be initiated without a proper quantification of the amounts due from the persons concerned.

3. The Hon'ble Kerala Administrative Tribunal has made it clear in the Order read as 1st paper above that the impugned revenue recovery proceedings (marked as Ext P1) were initiated against the applicant to recover the liability amount of Rs 1,84,466/- without hearing him after giving notice in advance. Moreover, neither the authorities had issued notice to the applicant nor fixed liability against him within 3 years of his retirement. Hence the Hon'ble Tribunal has ordered to set aside the impugned Ext P1 order.

4. Government, examined the matter in detail, and are pleased to



direct the Director of Panchayats to comply with the directions of the Hon'ble Tribunal and if found inevitable, necessary steps shall be taken to recover the amount of Rs.1,84,466/- from Sri.P.M.Aziz Rawther through civil suit as per the ruling 6 below Rule 116 Part II KSR.

(By order of the Governor)

**LEENA A**

**DEPUTY SECRETARY**

1. Shri.Aziz Rawther, Puthuparambil House, Kangazha P.O., Kottayam
2. The Director of Panchayats, Thiruvananthapuram
3. The Accountant General (A&E)/(Audit), Kerala, Thiruvananthapuram, Thrissur
4. The Director, I.K.M., Thiruvannathapuram
5. The Finance Department (Vide U.O.Remarks No.WW-WW1/162/2020-Fin dated 11.12.2020)
6. The Information & Public Relation (Web & New Media) Department
7. Stock File/Office Copy

Forwarded/By order

Digitally signed by SUDHEER S S

Date: 2021.05.25 17:08:31 IST

Reason: Approved  
Section Officer