

**A.K. JAYASANKARAN NAMBIAR & MOHAMMED NIAS C.P., JJ**

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**W.P.(C).NOS.222 & 244 OF 2019**

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**Dated this the 23<sup>rd</sup> day of December, 2022**

**ORDER**

A.K. Jayasankaran Nambiar, J.

Pursuant to our last order dated 19.12.2022 the Additional Chief Secretary, Home Department, Dr.Venu.V., is before us today. He has also filed an affidavit, the relevant portion of which reads as follows:-

“3. In this regard, it is humbly submitted that, necessary arrangement will be made for the sitting of the Claims Commissioner, in the Government Guest House, Ernakulam by the District Collector, Ernakulam. The District Collector, Ernakulam has been strictly directed to provide infrastructure and other facilities to the Claims Commissioner as directed by this Hon'ble Court and report compliance to Government vide D.O. Letter No.M2/108/2019/Home dated 20.12.2022. The Additional Chief Secretary, Revenue Department has been authorized to instruct the District Collectors concerned of the various Districts in the State to provide assistance to the Claims Commissioner, whenever necessary. Hence it is respectfully submitted that there will not be any impediment for the Claims Commissioner to conduct sittings.

4. The Inspector General, registration has furnished the details of the Assets and properties of the additional 12<sup>th</sup> and 13<sup>th</sup> respondents, and it is produced herewith and marked as Annexure R2(a). In accordance with the order dated 29.09.2022 of this Hon'ble Court, the Additional Chief Secretary shall be the Requisition Authority for the Revenue Recovery proceedings to be initiated from the additional 12<sup>th</sup> and 13<sup>th</sup> respondents. Accordingly the Land Revenue Commissioner has been directed to make all steps to authorize Additional Chief Secretary, Home as the requisitioning authority. It is submitted that, all earnest efforts are being taken to comply with the directions of this Hon'ble Court. There is no wilful disobedience or laches either from the part of this respondent or from the part of other respondents in complying with the directions of this

Hon'ble Court. It is most respectfully submitted that, the directions issued by this Hon'ble Court will be complied without fail. It is also respectfully submitted that attachment of the properties identified by the Registration Department will be completed by 15.01.2023. Thereafter a further period of one month will be required to complete the recovery proceedings in compliance of the directions of this Hon'ble Court.

5. As pointed out above, all the earnest efforts are being taken to complete the proceedings and comply with the directions of this Hon'ble Court. This respondent tenders unconditional apology for the delay caused in this regard, and also submits that same is not wilful or deliberate and occurred for the reasons stated above. This respondent once again submit that all earnest steps will be taken to comply with all the directions issued by this Hon'be Court without any delay."

Dr.Venu.V. has also assured us that clear instructions will be issued to the authorities for the purposes of ensuring that directions issued by this Court including in matters involving public interest, are promptly complied with and acted upon so that expediency in justice dispensation is achieved in the State through the collaborative efforts of the Executive and the Judiciary in the State. We take note of this assurance given to us by Dr.Venu.V. , and direct the posting of these cases to 18.1.2023 for the state to file an action-taken report.

**Sd/-  
A.K. JAYASANKARAN NAMBIAR  
JUDGE**

**Sd/-  
MOHAMMED NIAS C.P.  
JUDGE**