

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRA

TUESDAY, THE 30TH DAY OF DECEMBER 2014/9TH POUSHA, 1936

WP(C).No.35446 of 2014 (E)

PETITIONER :

BABY GIRISH, AGED 40 YEARS,
PARAYIL HOUSE, EDAMARUKU.P.O, MELUKAVU,
KOTTAYAM 686 552.

BY ADV. SRI.I.DINESH MENON

RESPONDENTS :

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1. THE TRANSPORT COMMISSIONER,
TRANS TOWERS, VAZHUTHAKKAD, TRIVANDRUM 695 014.
 2. THE DEPUTY TRANSPORT COMMISSIONER,
CENTRAL ZONE, KUNNUMPURAM, ERNAKULAM 682 021.
 3. THE JOINT REGIONAL TRANSPORT OFFICER,
PALA 686 575.

BY GOVERNMENT PLEADER SRI.SUDHEESH KUMAR.S.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
30-12-2014, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 35446 of 2014 (E)

APPENDIX

PETITIONER'S EXHIBITS :-

EXHIBIT P1 COPY OF THE DEMAND NOTICE DATED 26/2/2014.

EXHIBIT P2 COPY OF THE APPEAL DATED 24/7/2014.

EXHIBIT P3 COPY OF THE ORDER DATED 4/12/2014.

EXHIBIT P4 COPY OF THE REVISION PETITION DATED 23/12/2014 ALONG
WITH THE CHALAN EVIDENCING REMITTANCE OF REQUISITE FEE.

EXHIBIT P5 COPY OF THE JUDGMENT IN WP(C)No.31311/2014
DATED 24/11/2014.

RESPONDENTS' EXHIBITS :- NIL.

True copy

P.A to Judge

ANIL K.NARENDRA, J.

W.P.(C).No.35446 of 2014

Dated this the 30th day of December, 2014

JUDGMENT

The petitioner is the registered owner of a goods carriage vehicle bearing registration No.KL-5 Q 8620. Aggrieved by the demand for tax for the period from 1/1/2009 to 31/3/2014 made in Ext.P1 the petitioner filed Ext.P2 Appeal, which ended in dismissal by Ext.P3 order passed by the 2nd respondent. Aggrieved by Ext.P3 order, the petitioner filed Ext.P4 Revision before the 1st respondent. The grievance of the petitioner is that Ext.P4 Revision Petition is still pending consideration. Though an interim prayer for stay has also been sought for in Ext.P4 Revision Petition that is yet to be considered by the 1st respondent.

2. Heard the arguments of the learned counsel for the petitioner and also the learned Government Pleader appearing for the respondents.

3. It is not in dispute that Ext.P4 Revision filed by the petitioner is still pending consideration before the 1st respondent. In Ext.P4 Revision the petitioner has also sought for an interim prayer for stay, which is yet to be considered by the 1st respondent.

Considering the facts and circumstances of the case, this Writ Petition is disposed of directing the 1st respondent to consider and pass appropriate orders on the interim prayer for stay sought for in Ext.P4 Revision, as expeditiously as possible, at any rate, within a period of three weeks from the date of receipt of a certified copy of this judgment, with notice to the petitioner. Till such time all recovery proceedings pursuant to Ext.P1 demand shall be kept in abeyance.

ANIL K.NARENDRAN, JUDGE

skj