

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

TUESDAY, THE 6TH DAY OF JANUARY 2015/16TH POUSHA, 1936

OP(C) No. 3075 of 2014 (O)

I.A. No. 2813/2014 IN O.S. No. 474/2014 IN MUNSIFF'S COURT, KAYAMKULAM

PETITIONER :

**AJINAS.A, AGED 23 YEARS,
S/O. ABDULLAHKUTTY,
KOTTAYAKAKATHU,
PERINGAL P.O.,
KAYAMKULAM, PIN - 670 571
REPRESENTED HEREIN BY HIS
POWER OF ATTORNEY HOLDER ABDULLAHKUTTY,
AGED 53, S/O. MUHAMMED KUNJU,
KOTTAYAKAKATHU, PERINGAL P.O.,
KAYAMKULAM, PIN - 670 571.**

BY ADV. SRI.B.RENJITHKUMAR

RESPONDENT(S) :

- 1. DEPUTY THAHASILLDAR,
REVENUE RECOVERY, TALUK OFFICE,
KARTHIKAPALLY, PIN - 690 516.**
- 2. STATE REPRESENTED BY DISTRICT COLLECTOR,
ALLAPUZHA, PIN - 690 516.**
- 3. REGIONAL TRANSPORT OFFICER,
KAYAMKULAM - 690 502.**

**THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON 06-01-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

rkj

OP(C) No. 3075 of 2014 (O)

APPENDIX

PETITIONER(S)' EXHIBITS :-

**EXHIBIT P1:- TRUE COPY OF THE POWER OF ATTORNEY BY THE PETITIONER
DATED 10.07.2014.**

**EXHIBIT P2:- TRUE COPY OF THE RESPONDENT DEMAND NOTICE DATED
05.02.2013.**

**EXHIBIT P3:- TRUE COPY OF THE PLAINT IN O.S. NO.474/2014 IN MUNSIFF'S COURT,
KAYAMKULAM.**

**EXHIBIT P4:- TRUE COPY OF THE TEMPORARY INJUNCTION PETITION AND
AFFIDAVIT; I.A. NO.2813/2014.**

**EXHIBIT P5:- TRUE COPY OF THE DEMAND NOTICE DATED 09.12.2014 FOR
RS.4,12,335/-.**

RESPONDENT(S)' EXHIBITS :- NIL

//TRUE COPY//

P.A. TO JUDGE

rkj

P.BHAVADASAN, J.

O.P.(C) No. 3075 of 2014

Dated this the 06th day of January, 2015

J U D G M E N T

The only prayer made in this Original Petition under Article 227 is for a direction to the Munsiff Court, Kayamkulam to take up I.A.No.2813/2014 in O.S.No.474/2014 and dispose it of within a time limit fixed by this Court.

2. The suit was laid in respect of revenue recovery proceedings against the petitioner for tax due on a vehicle. Along with the suit, the petitioner had filed an interlocutory application as I.A.No.2813/2014 seeking temporary injunction restraining the respondents from proceeding with revenue recovery proceedings. That petition has not been decided so far and in the meanwhile, the respondents have again issued a second notice for recovery. In these circumstances, the petitioner prays that there may be a direction to the court below to consider the interlocutory

application for injunction.

3. In the light of the order that is proposed to be passed, it is felt that notice to the respondents is unnecessary.

4. The limited prayer is being one for speedy disposal, there is no reason as to why it should be declined.

This petition is disposed of directing the Munsiff Court, Kayamkulam to take up I.A.No. 2813 of 2014 in O.S.No.474 of 2014 as early as possible and dispose it of in accordance with law, at any rate, within a period of one month from the date of receipt of a copy of this judgment.

Sd/-
P.BHAVADASAN
JUDGE

ds

//True copy//

P.A. to Judge