

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

MONDAY, THE 2ND DAY OF FEBRUARY 2015/13TH MAGHA, 1936

WP(C).No. 2491 of 2010 (J)

PETITIONER:

**ROBIN, S/O.JOHN, RESIDING AT
KOMALAYIL HOUSE, AYYAPPANCOIL P.O., IDUKKI DISTRICT.**

**BY ADVS.SRI.C.A.MAJEED
SRI.K.H.ASIF**

RESPONDENTS:

- 1. REGIONAL TRANSPORT OFFICER,
R.T.O.'S OFFICE, CIVIL STATION, PAINAVU,
IDUKKI DISTRICT.**
- 2. THE DISTRICT EXECUTIVE OFFICER,
KERALA STATE MOTOR TRANSPORT WORKERS WELFARE
FUND BOARD, IDUKKI.**
- 3. THE DISTRICT EXECUTIVE OFFICER,
KERALA STATE MOTOR TRANSPORT WORKERS WELFARE FUND,
ERANAKULAM.**

*** ADDL. R4 IMPEADED**

**MR. KUNJU PILLAI, S/O. MR. KOCHUMOHAMMED,
VELLAMVELIL HOUSE, RAYONPURAM, PERUMBAVOOR,
ERNAKULAM DISTRICT
IS IMPEADED AS PER ORDER DT. 10/02/10 IN IA. 1618/10.**

**R1 TO R3 BY ADV. SRI.P.RAMAKRISHNAN, SC,KMTWF BOARD
R1 BY GOVERNMENT PLEADER, SRI. T.J. MICHEEL
R2 BY ADV. POULSON C VARGHESE
R2 BY ADV. SRI.NAVEEN. T, SC, KMTWWFB
R2 BY ADV. SRI.C.K.JAYAKUMAR, SC, KMTWWFB
R BY SRI.PAULSON C.VARGHESE,SC,KMTWF BOARD**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 02-02-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

WP(C).No. 2491 of 2010 (J)

APPENDIX

PETITIONER'S EXHIBITS

- EXHIBIT P1 - A PHOTOCOPY OF THE REGISTRATION PARTICULARS OF THE
NO: KL- 01-AG-2153.**
- EXHIBIT P2 - A PHOTOCOPY OF THE REGISTRATION PARTICULARS OF
VEHICLE NO: KL- 01-AG-2153 AFTER TRANSFERRING THE
OWNERSHIP TO THE PETITIONER.**
- EXHIBIT P3 - A PHOTOCOPY OF THE RECEIPT DATED 23.11.2009 ISSUED
BY THE 3RD RESPONDENT.**

RESPONDENTS' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

DST

K.VINOD CHANDRAN, J

W.P.(C).No. 2491 of 2010

Dated 2nd February, 2015

JUDGMENT

The issue raised in the writ petition is covered against the petitioner by a decision of this Court reported in Ummar v. Joint R.T.O (2014 (4) KLT 358).

However, since the writ petition is pending from 2010, it is directed that the recovery proceedings, if any, shall be kept in abeyance on condition of the petitioner settling the entire 'motor transport workers welfare fund' contribution in six equal monthly instalments. The petitioner shall produce a certified copy of this judgment before the respondent Board within two weeks of its receipt. The respondent Board shall quantify the dues as on today and issue a statement of dues, in accordance with which the instalments shall be paid. The 1st

instalment shall be paid on or before 02.03.2015 and thereafter; the due date of instalments falling on the 2nd of each succeeding month. If default is committed in two consecutive instalments, then the recovery proceedings shall be revived and continued.

The writ petition stands disposed of, reserving liberty of the petitioner to proceed against the prior owner, if amounts are paid, with respect to his liability. Parties are left to suffer their respective costs.

Sd/-

K.VINOD CHANDRAN
Judge

Mrcs

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