

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE MR.JUSTICE THOTTATHIL B.RADHAKRISHNAN
&
THE HONOURABLE MRS. JUSTICE ANU SIVARAMAN**

MONDAY, THE 28TH DAY OF SEPTEMBER 2015/6TH ASWINA, 1937

WA.No. 2118 of 2015 () IN WP(C).25953/2015

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AGAINST THE ORDER/JUDGMENT IN WP(C) 25953/2015 of HIGH COURT OF KERALA
DATED 23-09-2015**

APPELLANT(S)/PETITIONER:

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THOMAS K.SAMUEL, AGED 35 YEARS,
S/O.SAMUEL, KAKKATTUKUZHAYIL HOUSE, EDAPPAVOOR P.O,
AYIROOR, KOTTATHOOR, PATHANAMTHITTA-680 614.**

**BY ADVS.SRI.G.HARIHARAN
SRI.PRAVEEN.H.**

RESPONDENT(S)/RESPONDENTS:

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- 1. THE JOINT REGIONAL TRANSPORT OFFICER, RANNI,
PIN-689 672.**
 - 2. STATE OF KERALA,
REPRESENTED BY THE PRINCIPAL SECRETARY TO GOVERNMENT,
FINANCE DEPARTMENT, NORTH BLOCK, SECRETARIAT,
THIRUVANANTHAPURAM-695 001.**
 - 3. THE TRANSPORT COMMISSIONER,
TRANS TOWERS, VAZHUTHACAUD, THIRUVANANTHAPURAM-695 014.**

R1 & R2 BY SMT.SOBHA ANNAMMA EAPEN, GOVERNMENT PLEADER

**THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 28-09-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

DG

**THOTTATHIL B.RADHAKRISHNAN &
ANU SIVARAMAN, JJ.**

W.A.No.2118 of 2015

Dated this the 28th day of September, 2015

J U D G M E N T

Thottathil B.Radhakrishnan, J.

1. Heard the learned counsel for the appellant and the learned Senior Government Pleader.

2. This is an intra-court appeal against an interlocutory order passed by a learned single Judge in writ jurisdiction. The matter relates to motor vehicle taxation. The learned single Judge during the course of consideration of the writ petition, thought it necessary that the vehicle is inspected by the Regional Transport Officer. The appellant has been directed to produce the vehicle before that officer at a given point of time. This writ appeal is on the apprehension that on production of the vehicle, it may be seized by that authority. We are of the view that such apprehension is only misplaced, because the

production of the vehicle is to be made in compliance of the direction of the learned single Judge and whatever be the outcome of the production of that vehicle can also be dealt with effectively during the course of the writ petition, as may be found necessary. Under such circumstances, we do not find any ground to entertain this writ appeal. This writ appeal, therefore, fails.

3. In the result, this writ appeal is dismissed.

We leave open the appellant's request for enlargement of time for production of the vehicle. That may be sought for before the learned single Judge.

Sd/-
(THOTTATHIL B.RADHAKRISHNAN, JUDGE)

Sd/-
(ANU SIVARAMAN, JUDGE)

//TRUE COPY//

P.A TO JUDGE

DG