

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

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

WP(C).No. 189 of 2015 (W)

PETITIONER:

**MATHEW, S/O.MATHAI,
AGED 45 YEARS, POOTHATTUNIVAS,
KURUVA EDAKKAD VILLAGE,
KANNUR DISTRICT.**

BY ADV. SRI.S.SHAJAHAN (ADOOR)

RESPONDENT(S):

- 1. THE JOINT RTO, KANNUR,
KANNUR DISTRICT, PIN - 670 307.**
- 2. SAKTHI FINANCE CO LTD,
KANNUR DISTRICT - 670 307.**

R1 BY SENIOR GOVT. PLEADER SMT.SOBHA ANNAMMA EAPEN

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

mbr/

WP(C).No. 189 of 2015 (W)

APPENDIX

PETITIONER(S)' EXHIBITS:

**EXT.P1: TRUE COPY OF THE APPLICATION FILED BY THE PETITIONER BEFORE
 THE 1ST RESPONDENT DATED 7.1.2013.**

EXT.P2: TRUE COPY OF THE NOTICE ISSUED BY THE 1ST RESPONDENT.

**EXT.P3: TRUE COPY OF THE SUBMISSION FILED BY THE PETITIONER BEFORE
 THE 1ST RESPONDENT DATED 15.12.2014.**

RESPONDENT(S)' EXHIBITS: - NIL

/TRUE COPY/

P.A. TO JUDGE

mbr/

A.K.JAYASANKARAN NAMBIAR, J.

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W.P.(C) No.189 of 2015 (W)

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Dated this the 6th day of January, 2015

JUDGMENT

The petitioner is aggrieved by Ext.P2 notice issued to him for recovery of Motor Vehicle Tax for the period from 01.12.2013 to 31.12.2014.

2.The case of the petitioner in the writ petition is that, he had sold the vehicle on 07.01.2013 and that he had intimated the first respondent of the said fact and that despite this, he has been asked to pay the Motor Vehicle Tax in respect of the vehicle for the period subsequent to the sale of the vehicle.

3.I have heard the Sri.S.Shajahan, learned counsel for the petitioner and the learned Government Pleader for the first respondent.

4.On a consideration of the facts and circumstances of the case and the submissions made across the Bar, I dispose the writ petition with the following directions:

- (i) If the petitioner effects payment of the total amount outstanding by way of Motor Vehicle

Tax from 01.12.2013 to 31.12.2014 in 'six' equal monthly installments commencing from 02.02.2015, the recovery proceedings initiated against him pursuant to Ext.P2 notice shall be kept in abeyance.

(ii) It is made clear that, if the petitioner defaults in any one installment, then he shall lose the benefit of this judgment and the recovery steps for realisation of the tax amount can be pursued against him from the stage where it stands now.

5. The petitioner shall produce a copy of the judgment along with a copy of the writ petition before the first respondent for further steps.

The writ petition is disposed as above.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE