

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

FRIDAY, THE 16TH DAY OF JANUARY 2015/26TH POUSHA, 1936

WP(C).No. 1585 of 2015 (W)

PETITIONER:

**LUKHMAL, S/O.KUNHALI,
KOORIMANNIL MELEMANNIL HOUSE, ANAKKAYAM,
MANJERI, MALAPPURAM DISTRICT.**

BY ADV. SRI.SAJU J.VALLYARA

RESPONDENT:

**THE REGIONAL TRANSPORT OFFICER (TAXATION OFFICER),
MALAPPURAM, PIN-676 505**

BY SR GOVERNMENT PLEADER SMT. SOBHA ANNAMMA EAPEN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 16-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).No. 1585 of 2015 (W)

APPENDIX

PETITIONER(S)' EXHIBITS

**P1:- PHOTOCOPY OF THE REGISTRATION CERTIFICATE OF THE STAGE CARRIAGE
KL-10-Z-3758**

**P2:- PHOTOCOPY OF THE REQUEST DTD 12/1/2015 SUBMITTED BY THE
PETITIONER BEFORE THE RESPONDENT**

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

P.A.TO.JUDGE

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A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C) No.1585 of 2015 (W)
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Dated this the 16th day of January, 2015

JUDGMENT

The petitioner, who is the registered owner of a stage carriage bearing registration No.KL-10Z-3758, has approached this Court through the present writ petition, when faced with a threat for recovery of motor vehicle tax dues in respect of the vehicle for the period from 01.01.2013 to 31.08.2013. Although, the notice received by him has not been produced in the writ petition, the petitioner does not dispute his liability in respect of motor vehicle tax for the aforesaid period. His only apprehension is that, pursuant to the recovery steps initiated against him for recovery of the motor vehicle tax dues for the said period, if he is called upon to pay the entire liability in a lump sum, he may not be able to discharge the said liability. Accordingly, the only prayer of the petitioner is to permit him to remit the arrears of motor vehicle tax for the aforesaid period in installments.

2.I have heard Sri.Saju J.Vallyara, learned counsel for the petitioner and Smt.Sobha Annamma Eappen, learned Government Pleader for the respondent.

3. On a consideration of the facts and circumstances of the case and also the submissions made across the Bar, I dispose the writ

petition with the following directions:

(i) The total liability of the petitioner towards motor vehicle tax dues for the period from 01.01.2013 to 31.08.2013 is stated to be an amount of Rs.1,20,000/-. This is a matter that has to be verified by the respondent. I direct that, if the petitioner pays the entire liability towards Motor Vehicle Tax dues for the aforesaid period, in six equal and successive monthly instalments commencing from 31.01.2015, then, the recovery proceedings for recovery of tax shall be kept in abeyance.

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

(iii) The petitioner shall produce a copy of the judgment along with a copy of the writ petition before the respondent for further steps.

The writ petition is disposed as above.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE