

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

THURSDAY, THE 29TH DAY OF JANUARY 2015/9TH MAGHA, 1936

WP(C).No. 2817 of 2015 (B)

PETITIONER:

**VINOD, S/O KAIMAL,
MADATHIL HOUSE, NEELAMPEROOR,
KUTTANAD, ALAPPUZHA DISTRICT.**

BY ADV. SRI.I.DINESH MENON

RESPONDENT(S):

- 1. REGIONAL TRANSPORT OFFICER/TAXATION OFFICER,
OFFICE OF THE REGIONAL TRANSPORT OFFICER,
KOTTAYAM - 686 002.**
- 2. THE DEPUTY TAHSILDAR,
REVENUE RECOVERY, TALUK OFFCE,
KUTTANAD - 688 501.**
- 3. V.P. AFSAL, S/O PAREED,
VATTAKUNNEL PUTHENPURA, RAMAMANGALAM,
MOOVATTUPUZHA - 686 663.**

R1 & R2 BY SENIOR GOVT. PLEADER SMT.SOBHA ANNAMMA EAPEN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 29-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

WP(C).No. 2817 of 2015 (B)

APPENDIX

PETITIONER(S)' EXHIBITS:

EXHIBIT P1: TRUE COPY OF THE SALE AGREEMENT DATED 19.4.2013.

EXHIBIT P2: TRUE COPY OF THE DEMAND NOTICE DATED 25.9.2014.

**EXHIBIT P3: TRUE COPY OF THE RECOVERY NOTICE UNDER SECTION 7 AND 34
DATED 22.12.2014.**

EXHIBIT P4: TRUE COPY OF THE REQUEST DATED 12.1.2015.

RESPONDENT(S)' EXHIBITS:

- NIL

/TRUE COPY/

P.A. TO JUDGE

mbr/

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C) No.2817 of 2015 (B)

.....
Dated this the 29th day of January, 2015

JUDGMENT

The petitioner, who is faced with proceedings for recovery of motor vehicle tax, has preferred Ext.P4 representation before the first respondent. The limited prayer in the writ petition is for a direction to the first respondent to consider and pass orders on Ext.P4 representation, and to keep in abeyance the recovery steps initiated against him through Ext.P3 notice till then.

2.I have heard Sri.I.Dinesh Menon, learned counsel for the petitioner and Smt.Sobha Annamma Eappen, learned Government Pleader for the respondent Nos. 1and 2.

3.On a consideration of the facts and circumstances of the case and also the submissions made across the Bar, I direct the first respondent to consider and pass orders on Ext.P4 representation, filed by the petitioner before him, within a period of one month from the date of receipt of a copy of this judgment. It is made clear that, the recovery steps pursuant to Ext.P3, shall be kept in abeyance till such time as the first respondent passes orders, as directed, and communicates the same to the petitioner, on condition that the petitioner deposits an amount of

Rs.25,000/- (Rupees Twenty five thousand only) to the first respondent, within two weeks from the date of receipt of a copy of this judgment.

The writ petition is disposed as above.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE

AMV/29/01/