

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

FRIDAY, THE 30TH DAY OF JANUARY 2015/10TH MAGHA, 1936

WP(C).No. 3065 of 2015 (G)

PETITIONER(S):

**JAYAKUMAR, AGED 40 YEARS,
S/O.VELAPPAN, PULLUVILAKAM HOUSE, ALTHARAMOODU,
CHIRAYINKEEZHU P.O., PIN - 695 304,
THIRUVANANTHAPURAM DISTRICT.**

BY ADV. SRI.ANOOP V. NAIR

RESPONDENT(S):

- 1. DISTRICT COLLECTOR,
COLLECTORATE, THIRUVANANTHAPURAM, PIN - 695 001.**
- 2. THE REGIONAL TRANSPORT OFFICER,
REGIONAL TRANSPORT OFFICE, ATTINGAL, PIN - 695 101.**
- 3. THE TAHSILDAR,
CHIRAYINKEEZHU TALUK, CHIRAYINKEEZHU,
THIRUVANANTHAPURAM DISTRICT, PIN - 695 304.**
- 4. THE DEPUTY TAHSILDAR (RR),
CHIRAYINKEEZHU TALUK, CHIRAYINKEEZHU,
THIRUVANANTHAPURAM DISTRICT, PIN - 695 304.**
- 5. THE VILLAGE OFFICER,
CHIRAYINKEEZHU VILLAGE,
THIRUVANANTHAPURAM DISTRICT, PIN - 695 304.**
- 6. ANSIL,
S/O.ANSAR, BUNGLOW VEEDU, PUTHUKURICHI P.O.,
KATINAMKULAM VILLAGE,
THIRUVANANTHAPURAM DISTRICT, PIN - 695 303.**

R1 TO R5 BY GOVERNMENT PLEADER SRI.SHYSON P. MANGUZHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
30-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 3065 of 2015 (G)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXT P1:TRUE COPY OF CONTRACT CARRIAGE PERMIT FOR THE VEHICLE BEARING
REG.NO.KL.1 J 8159 DATED 04.05.2007.**

EXT P2:TRUE COPY OF AGREEMENT DATED 15.09.2008.

**EXT P3:TRUE COPY OF LETTER ISSUED BY THE PETITIONER TO THE
2ND RESPONDENT DATED 30.06.2014.**

**EXT P4:TRUE COPY OF DEMAND NOTICE DATED 20.10.2014 BEARING
NO.G3 2841/2014.**

**EXT P5:TRUE COPY OF POST CARD DATED 01.11.2014 ISSUED BY THE
5TH RESPONDENT TO THE PETITIONER.**

**EXT P6: TRUE COPY OF THE OBJECTION SUBMITTED BY THE PETITIONER TO THE
EXT P4 NOTICE.**

**EXT P7:TRUE COPY OF THE LETTER DATED 05.10.2015 ISSUED BY THE
3RD RESPONDENT.**

**EXT P8:TRUE COPY OF THE SALE NOTICE DATED 05.01.2015 ISSUED TO THE
PETITIONER.**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C) No. 3065 of 2015 (G)

.....
Dated this the 30th day of January, 2015

JUDGMENT

The petitioner, who is faced with Revenue Recovery proceedings for recovery of motor vehicle tax dues, seeks the grant of installments for discharging his dues to the respondents.

2. I have heard Sri.Anoop V.Nair, learned counsel for the petitioner and Sri.Shyson P.Manguzha, learned Government Pleader for the respondents.

3. On a consideration of the facts and circumstances of the case and also the submissions made across the Bar and the plea of financial hardship urged on behalf of the petitioner, I dispose the writ petition with the following directions :

(i) If the petitioner pays the motor vehicle tax dues of Rs.79,515/- together with accrued interest and collection charges to the respondents in eight equal and successive monthly installments commencing from 20.02.2015, then, further proceedings for recovery of the said amount, pursuant to Ext.P8 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) I make it clear that nothing in this judgment shall be seen as prejudicing the right of the petitioner to seek recovery of the amounts paid, from the 6th respondent.

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

The writ petition is disposed as above.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE

AMV/31/01/