

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 11TH DAY OF JUNE 2015/21ST JYASHTA, 1937

WP(C).No.3448 of 2015 (E)

PETITIONER'S:

1. K.U.VIJAYARAGHAVAN,AGED 58 YEARS,
S/O.N.P.GOPALAN NAIR,THULASI,VAYAPPARAPPADI,
MANJERI - 676 121.
2. K.T.SULAIMAN,AGED 45 YEARS,S/O.ABDURAHIMAN,
KALLADITHODI HOUSE,THURAKKAL,
KANHIRATTUKUNNU,MANJERI.
3. M.NARAYANAN,AGED 60 YEARS,S/O.UNNEERI,
12/121,MOZHICKAL HOUSE,MANHAPPATTA.P.O.,
MANJERI - 676 123.
4. SATHEESH KUMAR P.N,NARAYANAN NAIR,
MANIMANDIRAM,VELLARANGAL,
VAYAPPARAPPADI,MANJERI - 676 121.

BY ADV.SRI.K.DILIP

RESPONDENT'S:

1. THE TRASPORT COMMISSIONER,
TRANSPORT COMMISSIONERATE,
2ND FLOOR,TRANS TOWERS,
VAZHUTHAKKAD,TRIVANDRUM - 14.
2. THE REGIONAL TRANSPORT OFFICER,
MALAPPURAM - 676 505.
3. THE JOINT REGIONAL TRANSPORT COMMISSIONER,
MALAPPURAM - 676 505.
4. THE ASSISTANT MOTOR VEHICLE INSPECTOR,
MALAPPURAM - 676 505.

BY GOVT. PLEADER SMT.SOBHA ANNAMMA EAPEN.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 11-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

APPENDIX

PETITIONER'S EXHIBITS:

- P1 - A TRUE COPY OF THE REGISTRATION CERTIFICATE ISSUED TO THE VEHICLE OF THE 1ST PETITIONER BEARING REGISTRATION NUMBER KL-44-A-4200 DT. 25.8.11.
- P2 - A TRUE COPY OF THE REGISTRATION CERTIFICATE ISSUED TO THE VEHICLE OF THE 2ND PETITIONER BEARING REGISTRATION NUMBER KL-10-AN-4967 DT. 11.3.13.
- P3 - A TRUE COPY OF THE REGISTRATION CERTIFICATE ISSUED TO THE VEHICLE OF THE 3RD PETITIONER BEARING REGISTRATION NUMBER KL-10-AC-2772 DT. 13.6.11.
- P4 - A TRUE COPY OF THE REGISTRATION CERTIFICATE ISSUED TO THE VEHICLE OF THE 4TH PETITIONER BEARING REGISTRATION NUMBER KL-10-AQ-9042 DT. 06.3.14.
- P5 - A TRUE COPY OF THE CIRCULAR NO.B1/2787/TC/2014 ISSUED BY THE 1ST RESPONDENT DT. 10.3.14.
- P6 - A TRUE COPY FO THE NOTARIZED AFFIDAVIT SUBMITTED BY THE 1ST PETITIONER BEFORE THE 3RD RESPONDENT DT. 28.10.14.
- P7- A TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE FIRST PETITIONER BEFORE THE 2ND RESPONDENT DATED 4.2.2015.
- P8- A TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE SECOND PETITIONER BEFORE THE 2ND RESPONDENT DATED 4.2.2015.
- P9- A TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE THIRD PETITIONER BEFORE THE 2ND RESPONDENT DATED 4.2.2015.
- P10- A TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE FOURTH PETITIONER BEFORE THE 2ND RESPONDENT DATED 4.2.2015.

RESPONDENT'S EXHIBITS:

NIL

//TRUE COPY//

P.S. TO JUDGE

A.MUHAMED MUSTAQUE, J.

W.P.(C).No.3448 of 2015

Dated this the 11th day of June, 2015

J U D G M E N T

The petitioners' case is that, the vehicle tax in respect of their vehicles shall be accepted in the light of Ext.P5 Circular, which govern the rate of tax applicable to the vehicles fitted with fixed seats and push back seats.

2. It is submitted by the learned Government Pleader that, during pendency of the writ petition, an inspection has been made and a report has been obtained in respect of the vehicles.

In that view of the matter, this writ petition is disposed of directing the respondents to take necessary action to accept the tax, based on the report and after adverting to Ext.P5 Circular. Needful shall be done within a period of two weeks from the date of receipt of a copy of this judgment.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE.

AV