

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

WEDNESDAY, THE 11TH DAY OF FEBRUARY 2015/22ND MAGHA, 1936

WP(C).No. 4329 of 2015 (M)

PETITIONER :

**GIREESH S.K.,
S/O. SIVASANKARA PILLAI, THEKKEKARA VEEDU,
PERUMON P.O., KOLLAM.**

BY ADV. SRI.B.MOHANLAL

RESPONDENT :

**THE REGIONAL TRANSPORT OFFICER,
COLLECTORATE, CUTCHERY P.O., KOLLAM - 691 013.**

BY SR GOVERNMENT PLEADER SMT. SOBHA ANNAMMA EAPEN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 11-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).No. 4329 of 2015 (M)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT-P1- TRUE COPY OF THE R.C PARTICULARS OF THE PETITIONER'S 2007
MODEL ASHOK LEYLAND HMPV CONG.CARRIAGE VEHICLE BEARING
REG. NO. KL-35-6318.**

**EXHIBIT-P2- TRUE COPY OF THE TAX RECEIPT DATED 09/10/2014 ISSUED BY THE
RESPONDENT TO THE PETITIONER.**

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

P.A.TO.JUDGE

sts

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C) No.4329 of 2015 (M)

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Dated this the 11th day of February, 2015

JUDGMENT

The petitioner has approached this Court seeking grant of installment facility for remitting motor vehicle tax dues in respect of a contract carriage vehicle bearing registration No.KL-35-6318. The tax dues are in arrears for the period from 01.10.2014 to 31.12.2014 and 01.01.2015 to 31.03.2015. The amount due in respect of the quarter ending 31.12.2014 is Rs.36,750/- and the amount due in respect of the quarter ending 31.03.2015 is also Rs.36,750/-.

2. The learned Government Pleader would point out that, over in addition to these amounts they would also be additional tax amounts, that are due from the petitioner.
3. I have heard Sri.B.Mohan Lal, learned counsel for the petitioner and Smt.Sobha Annamma Eappen, learned Government Pleader for the respondent.
4. On a consideration of the facts and circumstances of the case and also the submissions made across the Bar, and in particular the plea of financial hardship urged by the petitioner, I dispose the writ petition with the following directions:

(i) If the petitioner pays the motor vehicle tax for the quarter ending 31.03.2015 together with the additional tax and other charges on or before 28.02.2015 and pays the tax dues for the quarter ended 31.12.2014 in three equal and successive monthly installments commencing from 01.04.2015; then, the recovery proceedings for recovery of the said tax dues 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.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE

AMV/12/02/