

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

MONDAY, THE 16TH DAY OF FEBRUARY 2015/27TH MAGHA, 1936

WP(C).No. 4807 of 2015 (A)

PETITIONER :

**RATHEESH, AGED 35 YEARS, S/O. VANAJADEVI,
PADAVANNA HOUSE, ELUMULASSERY P.O.,
OTTAPALAM, PALAKKAD.**

BY ADV. SRI.I.DINESH MENON

RESPONDENTS :

- 1. THE SECRETARY TO GOVERNMENT,
REVENUE DEPARTMENT,
SECRETARIAT, TRIVANDRUM - 695001**
- 2. THE AUTHORISED OFFICER/DEPUTY TAHSILDAR (RR),
OTTAPALAM - 679101.**
- 3. THE JOINT REGIONAL TRANSPORT OFFICER/
TAXATION OFFICER, OTTAPALAM - 679101**

BY GOVERNMENT PLEADER

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 16-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

WP(C).No. 4807 of 2015 (A)

APPENDIX

PETITIONER'S EXHIBITS :

P1: COPY OF THE RECOVERY NOTICE DT 9/1/2015 UNDER S. 7 OF RR ACT.

P2: COY OF THE RECOVERY NOTICE DT 9/1/2015 UNDER S. 34 OF RR ACT.

P3: COPY OF THE REQUEST DT 14/1/2015.

RESPONDENT'S EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

K. VINOD CHANDRAN, J.
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W.P.(C) No.4807 of 2015 - A
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Dated this the 16th day of February, 2015

J U D G M E N T

The petitioner is aggrieved by the demand notice initiated against the petitioner for the default committed in the payment of tax. The liability and the default are admitted and the only contention is against failure to intimate quantification. Considering the facts of the case and the alleged impecunious circumstances of the petitioner, this writ petition is disposed of on the following terms:-

(i) The petitioner shall produce a certified copy of this judgment before the 2nd respondent within two weeks of receipt of the same.

(ii) The 2nd respondent shall quantify the amounts due Ext.P2 and inform the petitioner in writing the amounts due as on 01.03.2015.

(iii) The 2nd respondent shall grant six monthly instalments for the payment of the balance dues, starting from

16.03.2015.

(iv) Recovery proceedings shall be kept in abeyance on condition that the remittances as per this order are made without any default.

(v) On the petitioner making a single default, the recovery steps initiated shall revive and continue.

(vi) On the 7th instalment being satisfied, the 2nd respondent shall issue a statement of the interest accrued from 01.03.2015 which shall be satisfied by the petitioner on the 16th of the succeeding month.

(vii) On the petitioner satisfying the entire arrears, the recovery proceedings shall be unenforceable.

Writ Petition is disposed of as above, making it clear that the 2nd respondent will be free to proceed with the recovery if the above conditions are not complied with.

Sd/-
K. VINOD CHANDRAN,
JUDGE

SB

// true copy //

P.A to Judge