

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR**

**FRIDAY, THE 20TH DAY OF FEBRUARY 2015/1ST PHALGUNA, 1936**

**WP(C).No. 5537 of 2015 (N)**  
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**PETITIONER(S):**  
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**AJITH, AGED 34 YEARS,  
S/O.BHASKARAN, PIPE DISTRIBUTORS, 37/3464,  
DESHABHIMANI JUNCTION, N.H.ROAD, KALOOR,  
KOCHI- 682 017.**

**BY ADVS.SMT.K.MEKHA DINESH  
SMT.V.J.RUBY**

**RESPONDENT(S) :**  
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- 1. THE DEPUTY TAHSILDAR (RR),  
KANAYANNUR TALUK, KOCHI- 682 017.**
- 2. JOINT REGIONAL TRANSPORT OFFICER,  
SUB REGIONAL TRANSPORT OFFICE, KAKKANAD- 682 037.**
- 3. H.D.F.C.ERGO,  
GENERAL INSURANCE COMPANY LTD.,  
CALICUT- 673 001.**

**R1 & R2 BY GOVERNMENT PLEADER SRI.SHYSON.P.MANGUZHA**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 20-02-2015, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:**

Msd.

**APPENDIX**

**PETITIONER(S)' EXHIBITS**  
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**EXHIBIT P1: TRUE COPY OF REGISTRATION CERTIFICATE OF THE VEHICLE.**

**EXHIBIT P2: TRUE COPY OF CHEQUE 28.06.2012.**

**EXHIBIT P3: TRUE COPY OF THE SALE AGREEMENT DATED 04.06.2012.**

**EXHIBIT P4: TRUE COPY OF THE INSURANCE DETAILS OF THE VEHICLE.**

**EXHIBIT P5: TRUE COPY OF THE REMINDER FROM 3RD RESPONDENT  
DATED 02.04.2013.**

**EXHIBIT P6: TRUE COPY OF THE DEMAND NOTICE ISSUED 2ND RESPONDENT  
DATED 17.10.2012.**

**EXHIBIT P7: TRUE COPY OF THE DEMAND NOTICE ISSUED 2ND RESPONDENT  
DATED 20.08.2014.**

**RESPONDENT(S)' EXHIBITS**  
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**NIL**

**//TRUE COPY//**

**P.A.TO JUDGE.**

Msd.

**A.K.JAYASANKARAN NAMBIAR, J.**

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**W.P.(C).NO.5537 OF 2015**  
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**Dated this the 20<sup>th</sup> day of February, 2015**

**J U D G M E N T**

The limited prayer of the petitioner in the writ petition is for the grant of instalments to discharge the liability towards motor vehicle tax for which the petitioner has been proceeded against under the Revenue Recovery Act through Exts.P6 and P7 notices.

2. I have heard Smt.Mekha Dinesh.K, the learned counsel for the petitioner and Sri.Shyson P.Manguzha, the learned Standing Counsel appearing on behalf of the respondents.

3. On a consideration of the facts and circumstances of the case and the submissions made across the bar and taking into account the plea of financial hardship raised by the petitioner, I dispose the writ petition with the following directions:-

i. If the petitioner pays the amounts due in terms of Exts.P6 and P7 notices to the respondents on or before 20.03.2015, then further proceedings pursuant to Exts.P6 and P7 shall be kept in abeyance.

ii. It is made clear that if the petitioner commits a default in respect of any of the instalments, he will lose the benefit of this

judgment and the 1<sup>st</sup> respondent will be free to continue the recovery proceedings against him from the stage at which they currently stand.

**A.K.JAYASANKARAN NAMBIAR**  
**JUDGE**

mns

