

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

TUESDAY, THE 24TH DAY OF FEBRUARY 2015/5TH PHALGUNA, 1936

WP(C).No. 5847 of 2015 (E)

PETITIONER :

**ABBAS, AGED 31 YEARS, S/O MAMMI,
KATHIRAKKOTTIL HOUSE, NELLIKKATTIRI P.O.,
PATTAMBI, PIN:679 539.**

**BY ADVS.SRI.B.V.JOY SANKER
SRI.PRAMJI PAUL VAZHAPPILLY**

RESPONDENTS :

- 1. THE STATE OF KERALA
REPRESENTED BY ITS SECRETARY,
DEPARTMENT OF TRANSPORT, STATE SECRETARIAT,
THIRUVANANTHAPURAM-695001.**
- 2. THE PRINCIPAL SECRETARY
DEPARTMENT OF FINANCE, GOVERNMENT OF KERALA,
PIN:695001.**
- 3. THE JOINT REGIONAL TRANSPORT OFFICER,
REGIONAL TRANSPORT OFFICE, PATTAMBI, PALAKKAD
PIN:679 303.**

R1 BY GOVERNMENT PLEADER SRI. SUDHEESH KUMAR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 24-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

WP(C).No. 5847 of 2015 (E)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1: TRUE COPY OF REGISTRATION CERTIFICATE OF THE VEHICLE NO.KL-17-B 2682 AND PERMIT.

EXHIBIT P2: TRUE COPY OF MEMO ISSUED FROM THE SUB REGIONAL TRANSPORT OFFICE, PATTAMBI DATED 13.2.2015.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C).No.5847 of 2015

.....
Dated this the 24th 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 his liability towards motor vehicle tax dues for the period from 01.01.2013 to 31.03.2015. In Ext.P2 notice that has been served on him the liability is shown to be Rs.38,430/- together with additional tax and other charges.

2. I have heard Sri.B.V.Joy Sankar, the learned counsel for the petitioner and Sri.Sudheesh Kumar, the learned Government Pleader for the respondents. Taking into account the plea of financial hardship urged by the petitioner, I dispose the writ petition with the following directions:

i. The total amount outstanding from the petitioner towards motor vehicle tax for the period 01.01.2013 to 31.03.2015 is Rs.38,430/- together with additional tax and other charges. Accordingly, if the petitioner remits the tax applicable for the period from 01.01.2015 to 31.03.2015 within two weeks from today, and remits the balance amounts due to the respondents in five equal and successive monthly instalments commencing from 1st April, 2015,

then further proceedings for recovery of the tax amounts 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 respondents will be free to continue the recovery proceedings against him from the stage at which they currently stand.

A.K.JAYASANKARAN NAMBIAR
JUDGE

mns

