

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

THURSDAY, THE 26TH DAY OF FEBRUARY 2015/7TH PHALGUNA, 1936

WP(C).No. 6081 of 2015 (I)

PETITIONER :

**SYED KAJA, AGED 64 YEARS,
SHEFA TEXTILES, KATTAPPANA, IDUKKY DISTRICT**

**BY ADVS.SRI.HARISANKAR V. MENON
SMT.MEERA V.MENON**

RESPONDENTS :

**1. COMMERCIAL TAX OFFICER,
KATTAPPANA - 685 508**

**2. DEPUTY COMMISSIONER (APPEALS)
DEPARTMENT OF COMMERCIAL TAXES,
PUBLIC LIBRARY BUILDINGS, SASTHRI ROAD,
KOTTAYAM - 686 001.**

BY GOVERNMENT PLEADER SRI. SUDHEESH KUMAR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 26-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

WP(C).No. 6081 of 2015 (I)

APPENDIX

PETITIONER(S)' EXHIBITS

P1: COPY OF ORDER ISSUED BY THE 1ST RESPONDENT

P2: COY OF APPEAL FILED BY THE PETITIONER BEFORE THE 2ND RESPONDENT

P3: COPY OF ORDER PASSED BY THE 2ND RESPONDENT

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.S. TO JUDGE

bp

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C).NO.6081 OF 2015 (I)

Dated this the 26th day of February, 2015

J U D G M E N T

The limited prayer of the petitioner in the writ petition is for grant of some time to comply with the conditions in Ext.P3 order passed by the 2nd respondent.

2. I have heard Sri.Harisankar V. Menon, the learned counsel appearing for the petitioner as also Sri.Sudheesh Kumar, the learned Government Pleader appearing for the respondents.

3. On a consideration of the facts and circumstances of the case as also the submissions made across the bar, I dispose the writ petition with the following directions:

(i) If the petitioner remits the payment directed in Ext.P3 order of the 2nd respondent on or before 15.3.2015, then the said payment shall be treated as compliance with Ext.P3 order of the 2nd respondent and the 2nd respondent shall proceed to consider and pass orders in the appeal filed by the petitioner before him.

(ii) It is made clear that if the petitioner does not comply with the said direction, he will lose the benefit of this judgment and the respondents will be free to proceed against the petitioner from the stage at which they presently stand.

A.K.JAYASANKARAN NAMBIAR
JUDGE

prp