

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 10TH DAY OF JULY 2015/19TH ASHADHA, 1937

WP(C).No. 10596 of 2008 (J)

PETITIONER(S):

**P.V.SAVITHRI, W/O.P. CHANDRAN,
PILICODE VAYAL HOUSE, P.O.PILICODE.**

**BY ADVS.SMT.M.R.JAYALATHA
SRI.T.M.KOCHUNNI
SRI.T.K.SASINDRAN
SRI.RENJIT GEORGE**

RESPONDENT(S):

- 1. SPECIAL TAHSILDAR (R.R), HOSDURG.**
- 2. VILLAGE OFFICER, PILICODE.**
- 3. REGIONAL TRANSPORT OFFICER, KASARGOD.**
- 4. REGIONAL TRANSPORT OFFICER, KANNUR.**

BY GOVERNMENT PLEADER SRI.R. RENJITH

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 10-07-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

PJ

WP(C).No. 10596 of 2008 (J)

APPENDIX

PETITIONERS' EXHIBITS

P1: PHOTOSTAT COPY OF THE SALE NOTICE.

RESPONDENTS' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.MUHAMED MUSTAQUE, J.

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**W.P.(C).No.10596/2008**  
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Dated this the 10th Day of July, 2015

J U D G M E N T

The petitioner is the widow of P.V.Chandran. She impugns revenue recovery proceedings initiated to recover motor vehicle tax. Ext.P1 is the copy of the notice of sale of immovable property. The demand is for Rs.1,49,550/-. These proceedings were initiated somewhere in the year 2008.

2. The learned counsel for the petitioner submits that the above amount has been corrected as Rs.50,338/-. It is further submitted that the vehicle was under garage and necessary 'G' Form was filed and therefore, the petitioner is not liable to pay the arrears.

2. The petitioner has not produced either copy of the 'G' Form or any other details before this Court, except notice of sale of immovable property. However,

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it is to be noted that the State Government has floated a one time settlement scheme by Circular No.2/2015. Since this motor vehicle tax is in arrears before 01/01/2010, necessarily, the petitioner would be entitled for the benefit of the scheme. Accordingly, the following directions are issued:

i. The petitioner shall appear before the Regional Transport Officer, Kasargod with details of the vehicle and a copy of the revenue recovery notice etc. and make a request for one time settlement facility. The petitioner shall appear before the Regional Transport Officer on 10/08/2015.

ii. The Regional Transport Authority, on receipt of the above application, shall verify whether the petitioner has any liability and whether the petitioner is entitled for the credit of 'G' Forms and on such verification, if it is found that the petitioner is liable to pay the arrears, necessarily, the petitioner shall be given the benefit of one time settlement

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scheme. Needful shall be done by the Regional Transport Officer within one month from the date of receipt of the application.

iii. If the Regional Transport Officer is not the competent authority, he is free to relegate the petitioner to the competent authority.

iv. In view of the above, the revenue recovery proceedings are deferred for a period of three months.

v. It is made clear that if the petitioner has any liability and is unable to settle the same as above, the Revenue Recovery Authority is free to proceed against the property and the petitioner in accordance with law.

The writ petition is disposed of as above. No costs.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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