IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

THURSDAY, THE 5TH DAY OF MARCH 2015/14TH PHALGUNA, 1936

WP(C).No. 7039 of 2015 (D)

PETITIONER(S):

BUSHARA, AGED 50 YEARS,
WIFE OF IBRAHIM NASAR, RESIDING AT VAZHAPPILLI HOUSE,
KUMARANELLUR P.O., WADAKKANCHERRY G.P.,
THRISSUR DISTRICT.

BY ADVS.SRI.G.HARIHARAN
SRI.PRAVEEN.H.

RESPONDENT(S):
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1. **THE JOINT REGIONAL TRANSPORT OFFICER,**
   WADAKKANCHERRY, THRISSUR DISTRICT - 680 582.

2. **THE SUB INSPECTOR OF POLICE,**
   KOTTAKKAL, MALAPPURAM DISTRICT, PIN - 676 505.

BY GOVERNMENT PLEADER SRI.SUDHEESH KUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 05-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

msv/

WP(C).No. 7039 of 2015 (D)

APPENDIX

PETITIONER(S)' EXHIBITS
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EXT. P1: TRUE COPY OF THE ORDER DATED 13.11.2014 ISSUED BY THE 1ST RESPONDENT.

EXT.P2: TRUE COPY OF THE FITNESS CERTIFICATE ISSUED BY THE ASST. MOTOR VEHICLE INSPECTOR WADAKKANCHERRY ON 09.05.2013

RESPONDENT(S)' EXHIBITS:
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NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C).NO.7039 OF 2015 (D)

Dated this the 5th day of March, 2015

J U D G M E N T

The petitioner, who faces revenue recovery action for recovery of motor vehicle tax dues in respect of the vehicle bearing registration No.KL-48C-3344 belonging to her, seeks only the grant of installments to discharge the liability to the respondents.

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

On a consideration of the facts and circumstances of the case as also the submission made across the bar, and in particular, the plea of financial hardship urged on behalf of the petitioner, I dispose the writ petition with the following directions:-

> (a) The tax liability for which the petitioner's vehicle has been detained is in respect of the period from 1.4.2014 onwards. Accordingly, if the petitioner pays the total tax liability under the Kerala Motor Vehicles Act, in respect of the said

vehicle for the aforementioned period, in two equal and successive monthly installments commencing from 20.3.2015, then further proceedings for recovery shall be kept in abeyance.

(b) If the petitioner defaults in any of the installments, then she will lose the benefit of this judgment and the respondents will be free to proceed against the petitioner for recovery of the tax arrears.

A.K.JAYASANKARAN NAMBIAR
JUDGE

prp