

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

THURSDAY, THE 12TH DAY OF MARCH 2015/21ST PHALGUNA, 1936

WP(C).NO. 7951 OF 2015 (T)

PETITIONER(S) :

SAJI VARGHESE AGED 40 YEARS
S/O.VARGHESE, PULINCHOTTIL HOUSE, POOTHRIKKA KARA
AIKKARANADU SOUTH VILLAGE, KUNNATHUNADU TALUK

BY ADVS.SRI.SIRAJ KAROLY
SRI.R.PARAMESWARA IYER

RESPONDENT(S) :

1. THE VILLAGE OFFICER
AIKKARANADU SOUTH VILLAGE, KUNNTHUNADU TALUK PIN-683542

2. DEPUTY TAHSILDAR
(REVENUE RECOVERY), KUNNATHUNADU TALUK, TALUK OFFICE
PERUMBAVOOR PIN-683542

3. DISTRICT COLLECTOR
ERNAKULAM, CIVIL STATION, KAKKANAD KOCHI 30

4. SUB REGIONAL TRANSPORT OFFICER
PERUMBAVOOR, SUB REGIONAL TRANSPORT OFFICE
PERUMBAVOOR, ERNAKULAM DISTRICT 683542

5. DEPUTY TRANSPORT COMMISSIONER
ERNAKULAM
OFFICE OF THE DEPUTY TRANSPORT COMMISSIONER
CIVIL STATION, KAKKANADU, KOCHI 30

6. STATE OF KERALA
REPRESENTED BY THE SECRETARY (FINANCE) GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM 695001

BY GOVERNMENT PLEADER SRI.SHYSON P.MANGUZHA

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
12-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).NO. 7951 OF 2015 (T)

APPENDIX

PETITIONER(S) ' EXHIBITS

P1:TRUE COPY OF THE REGISTRATION CERTIFICATE

P2:TRUE COPY OF THE PERMIT DATED 08.11.2006

P3:TRUE COPY OF THE LICENSE ISSUED FROM THE OFFICE OF THE RESPONDENT
26.01.2011

P4:TRUE COPY OF THE DEMAND ISSUED BY THE 2ND RESPONDENT THROUGH THE
1ST RESPONDENT DATED 29.01.2015

P5:TRUE COPY OF THE NOTICE ISSUED BEFORE ATTACHMENT OF THE PROPERTY

P6:TRUE COPY OF THE APPEAL MADE TO 5TH RESPONDENT

P7:TRUE EXTRACT OF THE SCHEDULE OF TAX WHICH FORM PART OF SECTION 3
(1) OF THE MOTOR VEHICLE TAXATION ACT

RESPONDENT(S) ' EXHIBITS:NIL

//TRUE COPY//

P.A TO JUDGE

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C).No.7951 of 2015

.....
Dated this the 12th day of March, 2015

J U D G M E N T

The petitioner, who has been served with the revenue recovery notice for recovery of motor vehicle tax dues, has preferred Ext.P6 appeal together with delay condonation petition before the 5th respondent challenging the demand of tax. The limited prayer of the petitioner in the writ petition is for a direction to the 5th respondent to consider and pass orders on Ext.P6 appeal and to keep recovery steps in accordance till such time as orders are passed.

2. I have heard the learned counsel for the petitioner and also the learned Government Pleader for the respondents.

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 a direction to the 5th respondent to consider and pass orders on the delay condonation petition, as also the appeal, within a period of one month from the date of receipt of a copy of this judgment, after hearing the petitioner.

Coercive steps pursuant to Exts.P4 and P5, for recovery of the tax arrears, shall be kept in abeyance till such time as orders are passed by the 5th respondent as directed above and communicated to the petitioner.

A.K.JAYASANKARAN NAMBIAR
JUDGE

mns

