

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

FRIDAY, THE 20TH DAY OF MARCH 2015/29TH PHALGUNA, 1936

WP(C).No. 8987 of 2015 (W)

PETITIONER(S):

**RAJAN S.P.,
AGED 46 YEARS,
S/O.PAUL,
SANKURIKKAL HOUSE,
MELADOOR,
ANNAMANADA,
THRISSUR DISTRICT - 680 741.**

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

RESPONDENT(S)/RESPONDENTS:

- 1. THE VILLAGE OFFICER,
ALATHUR VILLAGE,
CHALAKKUDY TALUK,
THRISSUR DISTRICT - 680 741.**
- 2. THE TAHSILDAR,
CHALAKKUDY - 680 307.**
- 3. REVENUE DIVISIONAL OFFICER,
CIVIL STATION,
AYYANTHOLE,
THRISSUR - 680 003.**

R1 TO R3 BY GOVERNMENT PLEADER SMT.SOBHA ANNAMMA EAPEN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 20-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

vmr.

APPENDIX

PETITIONER(S)' EXHIBITS

**EXT.P1: TRUE COPY OF THE DOCUMENT NO. 2410/2013 OF SRO, ANNAMANADA
EXECUTED IN FAVOUR OF THE PETITIONER BY HIS MOTHER THRESSIA.**

**EXT.P2: TRUE COPY OF THE PANCHAYAT RECEIPT DATED 17/12/2014 ISSUED IN THE
NAME OF THE PETITIONER BY THE ANNAMANADA GRAMA PANCHAYAT.**

**EXT.P3: TRUE COPY OF THE NOTICE OF DEMAND FOR RS.16,200/-ISSUED BY THE
2ND RESPONDENT IN THE NAME OF THE PETITIONER AND HIS MOTHER.**

**EXT.P4: TRUE COPY OF THE DEMAND NOTICE ISSUED UNDER SECTION 5A AND 10
OF THE KERALA BUILDING TAX ACT.**

**EXT.P5: TRUE COPY OF THE MEMORANDUM OF APPEAL DATED 10/02/2015 FILED BY
THE PETITIONER BEFORE THE 3RD RESPONDENT AGAINST EXHIBIT P3 AND
P4 DEMAND NOTICES.**

**EXT.P6: TRUE COPY OF THE MEMORANDUM OF APPEAL DATED 10/02/2015 FILED BY
THE PETITIONER'S MOTHER SMT.THRESSIA BEFORE THE 3RD
RESPONDENT AGAINST EXHIBIT P3 AND P4 DEMAND NOTICES.**

**EXT.P7: TRUE COPY OF THE RECEIPT NO. 6145814 DATED 25/02/2015 FOR RS.8,140/-
ISSUED BY THE VILLAGE OFFICER, MELADUR IN THE NAME OF THE
PETITIONER AND HIS MOTHER.**

**EXT.P8: TRUE COPY OF THE CERTIFICATE DATED 29/01/2015 ISSUED BY THE
ANNAMANADA GRAMA PANCHAYAT FOR BUILDING NO. X/305 B IN THE
NAME OF THE PETITIONER.**

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

P.A.TO JUDGE

vmr.

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C).No.8987 of 2015

.....
Dated this the 20th day of March, 2015

J U D G M E N T

The challenge in the writ petition is against Exts.P3 and P4 demand notices issued to the petitioner under the Kerala Building Tax Act. The petitioner has preferred Ext.P5 appeal before the 3rd respondent. It is submitted that the petitioner has also paid one instalment of the amount confirmed against the petitioner by Ext.P3 order.

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

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

- i. The 3rd respondent shall consider and pass orders on Ext.P5 appeal preferred by the petitioner within a period of two months from the date of receipt of a copy of this judgment, after hearing the petitioner.
- ii. Recovery steps for recovery of the amounts confirmed against the petitioner by Exts.P3 and P4 demand notices shall be kept in abeyance till such

time as orders are passed by the 3rd respondent as directed above and communicated to the petitioner.

A.K.JAYASANKARAN NAMBIAR
JUDGE

mns/

