

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

FRIDAY, THE 27TH DAY OF MARCH 2015/6TH CHAITHRA, 1937

WP(C).No. 9174 of 2015 (V)

PETITIONER(S):

**BINU JOHN M., AGED 39 YEARS
S/O.JOHN, MATTUMEL HOUSE, TRIKKAKARA P.O.
ERNAKULAM.**

**BY ADVS.SRI.R.ROHITH
SRI.SAYED MURTHALA THANGAL**

RESPONDENT(S)/RESPONDENTS:-:

- 1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY
MOTOR VEHICLES DEPARTMENT
THIRUVANANTHAPURAM - 695 001.**
- 2. REGIONAL TRANSPORT OFFICER,
MOTOR VEHICLES DEPARTMENT, CIVIL STATION, ERNAKULAM
KERALA, PIN - 682 030.**

R BY GOVERNMENT PLEADER SMT.SOBHA ANNAMMA EAPPEN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
27-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

WP(C).No. 9174 of 2015 (V)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1. A TRUE COPY OF THE REGISTRATION DETAILS REGARDING THE VEHICLE BEARING NO.KL-44-7374 ISSUED BY THE KERALA MOTOR VEHICLE DEPARTMENT.

EXHIBIT P2. A TRUE COPY OF MEMO DATED 05.11.2014 ISSUED BY THE 2ND RESPONDENT.

RESPONDENT(S)' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C).NO.9174 OF 2015 (V)

Dated this the 27th day of March, 2015

J U D G M E N T

The petitioner, who is faced with revenue recovery proceedings, seeks only the facility of installments to discharge the liability. Ext.P2 is the demand notice served on the petitioner, which would show that an amount of Rs.52,360/- together with applicable additional tax and interest has been demanded from him towards the motor vehicle tax for the period from 1.7.2014 to 31.12.2014.

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

On a consideration of the facts and circumstances of the case and the submissions made across the bar and also taking into account the plea of financial hardship urged on behalf of the petitioner, I dispose the writ petition with the following directions:-

- (i) The total amount due from the petitioner to the respondents, is stated to be Rs.52,360/- together

with applicable additional tax and interest. Accordingly, if the petitioner pays the said amount of Rs.52,360/-, together with additional tax and interest, in four equal and successive monthly installments commencing from 20.4.2015, then the further proceedings initiated against him by the respondent bank shall be kept in abeyance.

(ii) It is further made clear that if the petitioner commits a default in respect of any of the installments, he will lose the benefit of this judgment and the respondents will be free to continue the recovery proceedings against him from the stage at which they presently stand.

A.K.JAYASANKARAN NAMBIAR
JUDGE

prp