

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

THURSDAY, THE 26TH DAY OF MARCH 2015/5TH CHAITHRA, 1937

W.P.(C)No. 9738 of 2015 (N)

PETITIONER :-

**HEERA CONSTRUCTION CO.PVT.LTD.,
HEERA PARK M.PAPPAN ROAD,
VAZHUTHACAUD,
TRIVANDRUM, REPRESENTED BY ITS
MANAGING DIRECTOR, A.R.BABU.**

**BY ADVS.SMT.A.K.PREETHA
SRI.ANIL NARAYAN
SRI.S.SASIKUMAR**

RESPONDENTS :-

- 1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
DEPARTMENT OF LABOUR AND REHABILITATION,
SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.**
- 2. THE ASSESSING AUTHORITY UNDER THE BUILDING AND OTHER
CONSTRUCTION WORKERS WELFARE CESS ACT,
DISTRICT LABOUR OFFICE, THOZHIL BHAVAN,
THIRUVANANTHAPURAM - 695 033.**
- 3. DEPUTY TAHSILDAR (REVENUE RECOVERY),
TRIVANDRUM - 695 001.**

R BY SRI.R.RANJITH, GOVERNMENT PLEADER

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 26-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS :-

- EXHIBIT P1 : TRUE COPY OF THE LETTER DATED 07.05.2007 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER.
- EXHIBIT P2 : TRUE COPY OF FORM I SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT
- EXHIBIT P3 : TRUE COPY OF THE PROVISIONAL ORDER SERVED ON THE PETITIONER DATED 12.09.2013.
- EXHIBIT P4 : TRUE COPY OF THE RECEIPT DATED 22.10.2008.
- EXHIBIT P5 : TRUE COPY OF THE RECEIPT DATED 12.10.2013.
- EXHIBIT P6 : TRUE COPY OF THE REPRESENTATION DATED 11.10.2013 SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT.
- EXHIBIT P7 : TRUE COPY OF THE FINAL ASSESSMENT ORDER PASSED BY THE 2ND RESPONDENT DATED 17.10.2013.
- EXHIBIT P8 : TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER DATED 30.11.2013.
- EXHIBIT P9 : TRUE COPY OF THE NOTICE DATED 17.01.2014 ISSUED BY THE 2ND RESPONDENT.
- EXHIBIT P10 : TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER TO THE 2ND RESPONDENT DATED 23.01.2014.
- EXHIBIT P11 : TRUE COPY OF THE NOTICE ISSUED BY THE 3RD RESPONDENT DATED 02.03.2015.

RESPONDENT(S)' EXHIBITS :- NIL

rkj

//TRUE COPY//

P.A. TO JUDGE

V.CHITAMBARESH, J

W.P.(C)No.9738 of 2015

Dated this the 26th day of March, 2015

JUDGMENT

The petitioner confines its relief to easy installments to pay the amount demanded under Ext.P11 notice. A sum of ₹17,12,245/- with interest thereon has been demanded thereunder towards the Building and Other Construction Workers welfare Cess.

2. I permit the petitioner to pay the amount due in eight equal monthly installments starting from 30.04.2015. The coercive steps pursuant to Ext.P11 notice shall be put on hold if the petitioner complies with the conditions on time. The coercive steps can surge ahead if the petitioner commits default in the payment of any one way of the installments as directed.

The Writ Petition is disposed of.

Sd/-
V.CHITAMBARESH
JUDGE

rkj

//TRUE COPY//

P.A. TO JUDGE