

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

TUESDAY, THE 7TH DAY OF APRIL 2015/17TH CHAITHRA, 1937

WP(C).No. 11329 of 2015 (M)

PETITIONER:

**THOMAS KURUVILLA, AGED 58,
S/O.KURUVILLA, RESIDING AT
PLAKKATTU HOUSE, HILL VIEW ESTATE,
CHINNAKANAL PO, CHINNAKKANAL.**

BY ADV. SRI.BABU PAUL

RESPONDENT(S):

- 1. THE STATE OF KERALA,
DEPARTMENT OF REVENUE,
REPRESENTED BY THE SECRETARY,
REVENUE DEPARTMENT,
THIRUVANANTHAPURAM, PIN-695 001.**
- 2. TAHASILDAR,
UDUMBANCHOLA TALUK,
IDUKKI DISTRICT - 685 716.**
- 3. RAJAN, AGED 38, S/O.MADASWAMY,
RESIDING AT CHINNAKANAL, CHINNAKANAL P.O,
UDUMBANCHOLA TALUK, IDUKKI DISTRICT - 685 716.**

R1 & R2 BY SENIOR GOVERNMENT PLEADER SRI.JOSEPH GEORGE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 07-04-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

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A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C) No.11329 of 2015

Dated this the 12th day of November 2015

JUDGMENT

The issue involved in this writ petition is squarely covered in favour of the petitioner by the judgment of a Division Bench of this Court in **State of Kerala v. Thara Jayakumar [2015 (2) KLT 775]**, wherein, this Court found that the levy and collection of Mangalya Nidhi Cess, was illegal. Following the aforesaid judgment of the Division Bench of this Court, this writ petition is allowed, quashing Ext.P2 notice and by holding that the levy and collection of Mangalya Nidhi Cess is illegal.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE

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