

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

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

WP(C).No. 11408 of 2015 (A)

PETITIONER :

**SHAJI M.K.,S/O.BHASKARAN, AGED 38 YEARS,
KIZHAKKERUVATTIKANDY HOUSE, KOTTAYAMPOYIL.P.O.,
THALASSERY, KANNUR DISTRICT.**

**BY ADVS.SRI.C.P.PEETHAMBARAN
SMT.MINI.V.A.**

RESPONDENT(S):

- 1. THE TAHSILDAR, REVENUE RECOVERY,
THALASSERY, KANNUR DISTRICT-670 101.**
- 2. THE TAXATION OFFICER, (JOINT REGIONAL TRANSPORT OFFICER),
SUB REGIONAL TRANSPORT OFFICE, THALASSERY,
KANNUR DISTRICT-670 101**
- 3. ADBUL RAZACK, S/O.HASSAINAR, KELOTH HOUSE,
KAYANI.P.O., PAZHASSI, KANNUR-670 702.**

R1 & R2 BY SR GOVERNMENT PLEADER SMT. SOBHA ANNAMMA EAPEN

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

sts

WP(C).NO.11408/2015

APPENDIX

PETITIONER'S EXHIBITS:

- P1 COPY OF THE AGREEMENT DATED 29/7/2009 EXECUTED BETWEEN THE PETITIONER AND THE 3RD RESPONDENT.**
- P2 COPY OF THE LETTER DATED 6/4/2010 ISSUED BY SHRIRAM TRANSPORT FINANCE COMPANY TO THE 3RD RESPONDENT**
- P3 COPY OF THE DEMAND NOTICE DATED 13/3/2015 ISSUED BY THE 1ST RESPONDENT.**

RESPONDENT'S EXHIBITS:

NIL

/TRUE COPY/

P.A.TO JUDGE

sts

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C). No. 11408 of 2015

Dated this the 7th day of April, 2015

JUDGMENT

The petitioner, who was faced with revenue recovery proceedings for recovery of motor vehicle tax arrears in respect of a vehicle that was owned by him, and which according to him, he had subsequently sold to the 3rd respondent, seeks only a facility of installments for discharging his liability to the official respondents.

2. I have heard the learned counsel appearing on behalf of the petitioner as also the learned Standing Counsel appearing on behalf of the respondents.

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

- (i) The total amount due from the petitioner, as discernible from Ext.P3 notice, is stated to be Rs.54,862/- together with interest and other charges. Accordingly, if the petitioner remits the aforesaid amount of Rs.54,862/- together with interest and other charges in six equal and successive monthly installments commencing from 30.04.2015, then the recovery steps initiated against him by the respondent bank shall be kept in abeyance.

- (ii) It is 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 respondent will be free to continue the recovery proceedings against him from the stage at which they presently stand.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE

das