

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

FRIDAY, THE 10TH DAY OF APRIL 2015/20TH CHAITHRA, 1937

WP(C).NO. 12081 OF 2015 (I)

PETITIONER(S) :

ANSAR P.A., PROPRIETOR,
M/S.ANAAN FOODS AND BEVERAGES,
PERINGATTIL HOUSE, VADACODE P.O.,
KANGARAPADY, KOCHI-682021

BY ADVS.SRI.N.MURALEEDHARAN NAIR
SRI.V.K.SHAMUSUDHEEN
SMT.K.HYMAVATHY

RESPONDENT(S) :

1. THE COMMERCIAL TAX OFFICER, 1ST CIRCLE
PALAKKAD-678 001
2. THE VILLAGE OFFICER, PARALI-II,
EDATHARA, PALAKKAD DISTRICT-678 001
3. THE GENERAL MANAGER, DISTRICT INDUSTRIES CENTRE,
PALAKKAD-678 001
4. TAHSILDAR, TALUK OFFICE, PALAKKAD-678 001

BY GOVERNMENT PLEADER SMT.SOBHA ANNAMMA EAPPEN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
10-04-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).NO. 12081 OF 2015 (I)

APPENDIX

PETITIONERS EXHIBITS:

EXT.P1.TRUE COPY OF THE JUDGMENT IN W.P.(C) NO.7300 OF 2015 DATED
11.03.2015

EXT.P2: TRUE COPY OF THE MAHAZAR PREPARED BY THE 2ND RESPONDENT DATED
10.03.2015

EXT.P3: TRUE COPY OF THE JUDGMENT IN W.P(C) NO.11519 OF 2014 DATED
25.04.2014

RESPONDENTS EXHIBITS:NIL

TRUE COPY

P.A TO JUDGE

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C).NO.12081 OF 2015

Dated this the 10th day of April, 2015

J U D G M E N T

The limited prayer of the petitioner in the writ petition is for the grant of instalments to discharge the liability due to the respondents as detailed in Ext.P2 mahazar that was served on him.

2. I have heard the learned counsel appearing on behalf of the petitioner as also the learned Government Pleader 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, and taking into account the plea of financial hardship raised by the petitioner, I dispose the writ petition with the following directions:-

(i) The liability of the petitioner to the respondents, as discernible from Ext.P2 mahazar, is stated to be Rs.4,67,656/- together with accrued interest. Accordingly, if the petitioner pays the aforesaid amount of Rs.4,67,656/-, together with accrued interest, in 10 equal and successive monthly instalments

commencing from 30.04.2015 to the 4th respondent, then further proceedings for recovery shall be kept in abeyance.

(ii) It is made clear that, if the petitioner defaults in any single instalment, then he will lose the benefit of this judgment and the recovery proceedings shall continue from the stage at which they presently stand.

A.K.JAYASANKARAN NAMBIAR
JUDGE

mns

