

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

TUESDAY, THE 28TH DAY OF APRIL 2015/8TH VAISAKHA, 1937

WP(C).No. 13140 of 2015 (N)

PETITIONER(S) :

**STINGER,
ABAD NUCLEUS MALL, MARADU, THRIPIUNITHURA-682 304,
REPRESENTED BY PARTNER SREEPATHI D.**

**BY ADVS.SRI.S.ANIL KUMAR (TRIVANDRUM)
SRI.K.S.HARIHARAN NAIR
SRI.K.UMAMAHESWAR**

RESPONDENT(S) :

- 1. COMMERCIAL TAX OFFICER,
FIRST CIRCLE, THRIPIUNITHURA,
ERNAKULAM DISTRICT, PIN-682 301.**
- 2. THE SECRETARY,
KERALA VALUE ADDED TAX APPELLATE TRIBUNAL,
ERNAKULAM, PIN-682 015.**
- 3. THE DEPUTY TAHSILDAR (RR),
TALUK OFFICE, CHAVAKKAD, THRISSUR DISTRICT-680 506.**

BY GOVERNMENT PLEADER SRI.G.GOPAKUMAR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 28-04-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT P1 :** COPY OF THE ORIGINAL ASSESSMENT ORDER DATED 18-03-2014
OF THE 1ST RESPONDENT FOR THE YEAR 2012-13.
- EXT P2 :** COPY OF ORDER DATED 31-12-2014 OF THE ASSISTANT
COMMISSIONER (APPEALS), ERNAKULAM IN RESPECT OF EXT P1
ORDER.
- EXT P2(A) :** COPY OF THE ASSESSMENT ORDER (MODIFIED)
DATED 28-02-2015 OF THE 1ST RESPONDENT BASED ON EXT P2.
- EXT P3 :** COPY OF APPEAL MEMORANDUM DATED 30-03-2015 FOR 2012-13
AGAINST EXT P2 ORDER.
- EXT P4 :** COPY OF STAY PETITION DATED 30-03-2015.
- EXT P5 :** COPY OF NOTICE DATED 24-03-2015 ISSUED BY
THE 3RD RESPONDENT.

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

K. VINOD CHANDRAN, J

WP(C) NO. 13140 OF 2015

Dated this the 28th day of April, 2015

JUDGMENT

Ext.P1 is the assessment order passed against the petitioner for the years 2012-13. Against this order, petitioner filed Ext.P3 appeal, which is accompanied by Ext.P4 stay petition before the 2nd respondent. The appeal and the stay petition are pending before the 2nd respondent. In the meanwhile, it is alleged, coercive proceedings have been threatened. It is in this context, the writ petition has been filed.

2. In the above circumstances, it is directed that the appellate authority, the 2nd respondent herein, shall dispose of Ext.P4 stay application within a period of two months from today and the coercive proceedings be stayed until such orders are passed; which order shall determine the matter thereafter.

3. The Petitioner shall produce a copy of this judgment before the 2nd respondent for compliance.

The Writ petition disposed of.

**K. VINOD CHANDRAN
JUDGE**