

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 12TH DAY OF MAY 2015/22ND VAISAKHA, 1937

WP(C).No. 14271 of 2015 (H)

PETITIONER :-

MUSALIAR COLLEGE OF ENGINEERING & TECHNOLOGY,
MUSALIAR COLLEGE.P.O, MALAYALAPPUZHA
PATHANAMTHITTA DISTRICT, PIN-689653
REPRESENTED BY ITS CHAIRMAN P.I.SHERIEF MOHAMMED.

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

RESPONDENTS :-

1. INTELLIGENCE OFFICER,
SQUAD NO.1, COMMERCIAL TAXES, PATHANAMTHITTA
PIN-689645.
2. COMMERCIAL TAX OFFICER (WORKS CONTRACT & LUXURY TAX) ,
CIVIL STATION, KOLLAM-691013.
3. THE DEPUTY COMMISSIONER,
COMMERCIAL TAXES, MINI CIVIL STATION
PATHANAMTHITTA-689645.
4. THE INSPECTING ASST.COMMISSIONER,
COMMERCIAL TAXES, MINI CIVIL STATION
PATHANAMTHITTA-689645.

BY GOVERNMENT PLEADER SRI.MOHAMED SHAFI M.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 12-05-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

jvt

WP(C) .No. 14271 of 2015 (H)

APPENDIX

PETITIONER(S) ' EXHIBITS :-

EXT.P1 COPY OF CHALANS DATED 13-01-2014 (COLLECTIVELY) .

EXT.P2 COPY OF PENALTY ORDER DATED 22-08-14 ISSUED BY THE 1ST
RESPONDENT .

EXT.P3 COPY OF REVISION PETITION FILED AGAINST EXT.P1 .

EXT.P4 COPY OF PETITION FOR STAY FILED IN EXT.P3 REVISION .

EXT.P5 COPY OF STAY ORDER DATED 31-03-2015 ON EXT.P4 STAY
PETITION .

EXT.P6 COPY OF NOTICE DATED 28-03-2015 ISSUED BY THE 4TH
RESPONDENT UNDER THE RR ACT .

RESPONDENT(S) ' EXHIBITS :- NIL

//TRUE COPY//

P.A. TO JUDGE

A. MUHAMED MUSTAQUE, J.

W.P.(C) No.14271 of 2015

Dated this the 12th day of May 2015

J U D G M E N T

The petitioner impugnes Ext.P5 order passed by the 3rd respondent in Ext.P4 stay petition filed by the petitioner. The Revisional Authority, after adverting to several facts, passed the said order directing the petitioner to remit 40% of the demand and to furnish adequate security for the balance demand.

2. I am of the view, considering the facts and circumstances, 30% of the demand shall be justified in the ends of justice. Accordingly, Ext.P5 order is modified to the following effect :-

The petitioner shall remit 30% of the demand and furnish adequate security for the balance demand within one month from the date of receipt of a copy of this judgment. The writ petition is disposed of as above.

Sd/-
A. MUHAMED MUSTAQUE
JUDGE