

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 9TH DAY OF JUNE 2015/19TH JYAISHTA, 1937

WP(C).No. 17110 of 2015 (K)

PETITIONER :

**TOM KURIAN & ABY, AGED 35 YEARS,
THATTAMPARA HOUSE, OLIYAPURAM,
POULTRY FARM & SALES, KOOTHATTUKULAM.**

BY ADV. SMT.S.K.DEVI

RESPONDENTS :

- 1. THE DEPUTY TAHASILDAR (RR)
MUVATTUPUZHA 686669.**
- 2. THE COMMERCIAL TAX OFFICER,
DEPT. OF COMMERCIAL TAXES, MUVATTUPUZHA 686669.**
- 3. THE DEPUTY COMMISSIONER (APPEALS)
DEPT. OF COMMERCIAL TAXES, ERNAKULAM-682015.**

**R1 TO R3 BY SENIOR GOVERNMENT PLEADER
SMT.SHOBA ANNAMMA EAPPEN**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 09-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT-P1: TRUE COPY OF THE NOTICE NO.B4-3892/15/DN 1469/14-15 UNDER SECTION 7.

EXHIBIT-P2: TRUE COPY OF THE NOTICE NO.B4-3892/15/DN 1469/14-15 UNDER SECTION 34.

EXHIBIT-P3: TRUE COPY OF THE ASSESSMENT ORDER WITH DEMAND NOTICE NO.742/2012-13 DATED 30.10.2014.

EXHIBIT-P4: TRUE COPY OF THE APPEAL DATED 4.6.2015.

EXHIBIT-P5: TRUE COPY OF THE DELAY CONDONATION PETITION DATED 4.6.2015.

EXHIBIT-P6: TRUE COPY OF THE STAY PETITION DATED 4.6.2015.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.17110 of 2015

Dated this the 9th day of June, 2015

J U D G M E N T

The petitioner has filed Ext.P4 appeal and Ext.P6 stay petition along with Ext.P5 delay condonation petition against Ext.P3 assessment order.

2. Heard the learned counsel for the petitioner as well as the learned Government Pleader for the respondents.

Considering the facts and circumstances of the case, this writ petition is disposed of directing the 3rd respondent to consider the delay condonation petition within a period of one month from the date of receipt of a copy of this judgment. If the delay condonation petition is allowed, the stay application shall be considered within a further period of one month, after issuing notice to the petitioner. Till a final decision is taken as directed above, all coercive proceedings shall be kept in abeyance.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE.

AV