

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 10TH DAY OF JUNE 2015/20TH JYAISHTA, 1937

WP(C).No. 17236 of 2015 (D)

PETITIONER(S):

**M/S.MEDICAL CENTRE TRICHUR LTD.,
SHORANUR ROAD, THRISSUR.**

**BY ADVS.SRI.P.S.SOMAN,
SMT.T.RADHAMANY.**

RESPONDENT(S):

- 1. THE INTELLIGENCE INSPECTOR, SQUAD-II,
COMMERCIAL TAXES, MALAPPURAM AT KOTTAKKAL.**
- 2. THE INTELLIGENCE OFFICER,
SQUAD -II, COMMERCIAL TAXES,
MALAPPURAM AT KOTTAKKAL.**
- 3. THE COMMISSIONER OF COMMERCIAL TAXES,
GOVERNMENT OF KERALA, TAX TOWER, KARAMANA P.O.,
THIRUVANANTHAPURAM, PIN -695 002.**
- 4. M/S.ALLENGERS MEDICAL SYSTEMS LTD.,
MOHALI, PUNJAB.**

R1 TO R3 BY GOVT. PLEADER SMT.SOBHA ANNAMMA EAPEN.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 10-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

WP(C).No. 17236 of 2015 (D)

APPENDIX

PETITIONERS' EXHIBITS:

- P1- TRUE COPY OF INVOICE NO.00044 DATED 28.04.2003.
- P2- TRUE COPY OF INVOICE NO.00084 DATED 22.05.2007.
- P3- TRUE COPY OF THE DECLARATION LETTER DATED 20.04.2015.
- P4- TRUE COPY OF THE NOTICE IN FORM 17A DATED 27.05.2015
ISSUED BY THE 1ST RESPONDENT.

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

PA. TO JUDGE

rs.

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.17236 of 2015

Dated this the 10th day of June, 2015

J U D G M E N T

The petitioner claims to be the consignor of medical equipments sent for repair to Punjab. The consignment was detained as per Ext.P4 alleging that, the transaction is an interstate sale. As per Ext.P4 notice, the petitioner has been directed to furnish security deposit of ₹3,10,300/-.

2. The learned counsel for the petitioner submits that, the machine has been returned for the reason that, the same is in irreparable condition.

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

4. In view of the facts and circumstances of the case, this Court finds that, the goods shall be released to the petitioner on remitting an amount of ₹50,000/- (Rupees Fifty thousand only) and executing a simple bond without sureties for the remaining amount.

This writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE.