

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 16TH DAY OF JUNE 2015/26TH JYAISHTA, 1937

WP(C).No. 17942 of 2015 (P)

PETITIONER(S):

**JOMON. M.D., MUKKUNGAL HOUSE,
NO.26, KONTHURUTHY,
THEVARA P.O., KOCHI.**

BY ADV. SRI.PRASAD CHANDRAN.

RESPONDENT(S):

- 1. THE REGIONAL TRANSPORT OFFICER,
ERNAKULAM-691 001.**
- 2. THE DEPUTY TAHSILDAR,
(REVENUE RECOVERY) KANAYANNUR TALUK,
ERNAKULAM-682 001.**

BY GOVT. PLEADER SMT.SOBHA ANNAMMA EAPEN.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 16-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

WP(C).No. 17942 of 2015 (P)

APPENDIX

PETITIONER'S EXHIBITS:-

**EXT.P1. TRUE COPY OF THE REGISTRATION PARTICULARS IN RESPECT
OF CONTRACT CARRIAGE KL-07/BJ-272.**

**EXT.P2. TRUE COPY OF THE REVENUE RECOVERY NOTICE ISSUED BY
THE 2ND RESPONDENT.**

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.A. TO JUDGE

rs.

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.17942 of 2015

Dated this the 16th day of June, 2015

J U D G M E N T

The petitioner is the registered owner of a contract carriage bearing registration No.KL-07/BJ 272. The petitioner impugns revenue recovery proceedings initiated by the 2nd respondent pursuant to the tax due in respect of said vehicle.

2. The petitioner's prayer before this Court is that, he may be given an opportunity to pay off the tax due in fifteen equal monthly installments. The petitioner also seeks for a direction to the 1st respondent to accept tax for the present quarter and renew the permit in the interest of justice.

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

4. Considering the facts and circumstances, I am of the view that, the petitioner should be given some breathing time to pay off the liability. Accordingly this writ petition is disposed of with the following directions :

The petitioner shall remit an amount of ₹20,000/- (Rupees Twenty thousand only) on or before 29.06.2015. Thereafter, the petitioner shall discharge the entire liability as demanded in Ext.P2 by way of eight equal monthly installments starting from 10.07.2015

onwards. In view of the above directions, the petitioner's tax for the present quarter shall be accepted along with the first installment. To work out the relief as above, all revenue recovery proceedings shall be deferred.

Sd/-
A.MUHAMED MUSTAQUE, JUDGE.

AV