

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 20TH DAY OF JULY 2015/29TH ASHADHA, 1937

WP(C).No. 21808 of 2015 (A)

PETITIONER :

**SAROJAM KUMARI LARI PONNUMANI,
PROPRIETRIX, EAGLE WINDOWS, P.P.IV/859,
NEAR R.C.CHURCH, THEKKE ALAMPARA, CHIRAKKONAM,
PARASUVAIKKAL, PARASSALA,PIN-695 508, RESIDING AT D.L.DALE,
ADUMANCADU, PARASUVAIKKAL, PARASSALA,
NEYATTINKARA TALUK,PIN-695 508**

**BY ADVS.SRI.VADAKARA V.V.N.MENON
SRI.C.N.GOPAKUMAR**

RESPONDENT(S):

- 1. THE INTELLIGENCE INSPECTOR,
SQUAD II, COMMERCIAL TAXES, ALAPPUZHA AT CHENGANNUR.**
- 2. THE COMMISSIONER OF COMMERCIAL TAXES,
OFFICE OF THE COMMISSIONER OF COMMERCIAL TAXES,
THIRUVANANTHAPURAM,PIN-695 001**
- 3. THE STATE OF KERALA, REPRESENTED BY THE
SECRETARY TO GOVERNMENT, AGRICULTURAL
INCOME TAX & SALES TAX, GOVT. SECRETARIAT,
THIRUVANANTHAPURAM,PIN-695 001**

BY SR GOVERNMENT PLEADER SMT. SOBHA ANNAMMA EAPEN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 20-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

APPENDIX

PETITIONER'S EXHIBITS:

- P1 COPY OF THE CERTIFICATE OF REGISTRATION WITH ANNEXURE ISSUED TO THE PETITIONER BY THE COMMERCIAL TAX OFFICER, NEYYATTINKARA**
- P2 COPY OF THE INVOICE NO.156 DATED 13/7/2015 ISSUED BY KINGS WINDOWS INC TO THE EAGLE WINDOWS**
- P3 COPY OF THE INVOICE NO.157 DATED 13/7/2015 ISSUED BY KINGS WINDOWS INC TO THE EAGLE WINDOWS**
- P4 COPY OF THE INVOICE NO.158 DATED 13/7/2015 ISSUED BY KINGS WINDOWS INC TO THE EAGLE WINDOWS**
- P5 CPY OF THE INVOICE NO.159 DATED 13/07/2015 ISSUED BY KINGS WINDOWS INC TO THE EAGLE WINDOWS**
- P6 COPY OF THE INVOICE NO.1 DATED 13/07/2015 ISSUED BY EAGLE WINDOWS TO RAJADHANI VILAS, ALUVA WITH ENDORSEMENT ON ITS REVERSE SIDE**
- P7 COPY OF THE NOTICE NO.OR 133/15-16 DATED 14/7/2015 GIVEN BY THE 1ST RESPONDENT TO THE DRIVER OF VEHICLE NO.TN 40C/6023.**

RESPONDENT'S EXHIBITS: NIL

/TRUE COPY/

P.A.TO JUDGE

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A.MUHAMED MUSTAQUE, J.

W.P.(C) No.21808 of 2015

Dated this the 20th day of July, 2015

J U D G M E N T

The petitioner, a registered dealer, has approached this Court challenging Ext.P7 detention notice. As per Ext.P7 notice, the petitioner has been directed to furnish security deposit of ₹1,88,300/-.

2. The reason for detention is that, the goods under transport are different from the goods as per the bills. It is also noted that, the window frames are short in number when compared to the bill and the doors transported in the vehicle have no corresponding bill.

3. In view of the facts and circumstances of the case, this Court finds that, the goods and vehicle shall be released to the petitioner on depositing an amount of ₹30,000/- (Rupees Thirty 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.

AV