

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRA

TUESDAY, THE 1ST DAY OF SEPTEMBER 2015/10TH BHADRA, 1937

WP(C).No. 24659 of 2013 (F)

PETITIONER(S):

**SIMON P.J, S/O JOSEPH,
PAIMPALIL HOUSE, AREKKARA, VELIYANNOOR P.O
UZHAVOOR, KOTTAYAM 686 634**

**BY ADVS.SRI.R.SUDHEER
SMT.MABLE.C.KURIAN**

RESPONDENT(S):

- 1. STATE OF KERALA
REPRESENTED BY SECRETARY TO GOVERNMENT
MOTOR VEHICLES DEPARTMENT
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM 695 001**
- 2. TRANSPORT COMMISSIONER TRANS TOWERS
VAZHUTHACAUD, THIRUVANANTHAPURAM 695 014**
- 3. REGIONAL TRANSPORT COMMISSIONER
KOTTAYAM - 686 601**
- 4. JOINT REGIONAL TRANSPORT OFFICER, UZHAVOOR 686 634**

BY SRI S.SUDHEESH KUMAR, SENIOR GOVERNMENT PLEADER

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 01-09-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

WP(C).No. 24659 of 2013 (F)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1 : COPY OF THE INVOICE NO VSLADO1678LS DATED 19/09/2013
FOR THE PURCHASE OF THE FORD ECOSPORT CAR ISSUED
FROM KAIRALI FORD SHOWROOM - KERALA CARS PRIVATE
LIMITED-KOTTAYAM**

**EXHIBIT P2 : COPY OF THE APPLICATION IN FORM 20 FOR PERMANENT
REGISTRATION DATED 25/09/2013**

RESPONDENT(S)' EXHIBITS: N I L

//TRUE COPY//

P.A. TO JUDGE

JV

ANIL K. NARENDRA, J.

W.P.(C) No.24659 of 2013

Dated this the 1st day of September, 2015

JUDGMENT

The petitioner, who is the registered owner of a Ford Eco-Sport car purchased vide Ext.P1 invoice which was subsequently assigned with temporary registration No.KL-5-V-TEMP-8693 with the Regional Transport Office, Kottayam, has filed this writ petition seeking a writ of mandamus commanding the 2nd respondent to accept Ext.P2 application for registration and register the vehicle levying tax only on the total value of the vehicle shown in Ext.P1 invoice excluding the Value Added Tax.

2. By order dated 08.10.2013, this Court ordered that the petitioner shall pay one time tax for the total sale consideration inclusive of Value Added Tax as shown in Ext.P1 invoice. It was made clear that, any excess amount paid shall be refunded to the petitioner depending on the outcome of the writ petition.

3. The issue raised in this writ petition is covered against the petitioner by the judgment of a Division Bench of

this Court in **Nagendra Mani N. v. State of Kerala and Others [2015 (4) KHC 313.**

In such circumstances, the petitioner is not entitled for the reliefs prayed for in this writ petition.

In the result, the writ petition fails and the same is dismissed.

No order as to costs.

SD/-
ANIL K. NARENDRA,
JUDGE

JV