

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE**

**FRIDAY, THE 7TH DAY OF AUGUST 2015/16TH SRAVANA, 1937**

**WP(C).No. 23983 of 2015 (W)**  
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**PETITIONER:**  
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**JAMES MATHAI,  
S/O.KOSHY MATHAI, AGED 47,  
MODIYIL THARAYIL HOUSE, PUNTHALA,  
VENMONY, ALAPPUZHA - 9961759201.**

**BY ADVS.SRI.T.RAJESH  
SMT.P.V.SARITHA VENUGOPAL**

**RESPONDENT(S):**  
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- 1. DEPUTY THASILDAR,  
REVENUE RECOVERY, CHENGANNUR-689121.**
- 2. JOINT REGIONAL TRANSPORT OFFICER,  
SUB REGIONAL TRANSPORT OFFICE,  
CHENGANNUR-689121.**

**BY SENIOR GOVT. PLEADER SMT.SOBHA ANNAMMA EAPEN**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 07-08-2015, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:**

**mbr/**

**WP(C).No. 23983 of 2015 (W)**  
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**APPENDIX**

**PETITIONER(S)' EXHIBITS:**  
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**EXHIBIT-P1: A TRUE COPY OF THE CERTIFICATE OF REGISTRATION  
NO.KL.01.S.3867.**

**EXHIBIT-P2: A TRUE COPY OF THE NOTICE ISSUED BY THE 1ST RESPONDENT.**

**EXHIBIT-P3: THE TRUE COPY OF THE FORM 10 NOTICE ISSUED BY THE  
1ST RESPONDENT.**

**EXHIBIT-P4: A TRUE COPY OF THE AFFIDAVIT FILED BY THE PETITIONER  
DATED 16/4/2015.**

**RESPONDENT(S)' EXHIBITS:** **NIL**  
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**//TRUE COPY//**

**P.S. TO JUDGE**

**mbr/**

**A. MUHAMED MUSTAQUE, J**

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**W.P.(C).No. 23983 of 2015**  
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**Dated this the 07<sup>th</sup> day of August, 2015**

**JUDGMENT**

The petitioner has approached this Court challenging revenue recovery proceedings initiated to recover the motor tax arrears. Admittedly, the tax arrears is from 01.07.2009 onwards, the petitioner also submits that the vehicle has been dismantled.

2. In view of the facts and circumstances, the petitioner is entitled for a benefit under settlement of one time settlement scheme issued based on Circular No. 2/2015.

In that view of the matter, the following directions are issued :

- i) The petitioner shall make a request for one time settlement within a period of three weeks from the date of receipt of copy of this judgment.
- ii) Thereafter, the 2<sup>nd</sup> respondent shall afford an opportunity to the petitioner to settle the liability under one time settlement scheme giving time upto 15.10.2015.

iii) If the petitioner also files an affidavit and clears the liability, all future liability shall be dropped against the petitioner based on the recording dismantling of the vehicle.

iv) In view of the above, coercive steps shall be deferred in tune with the above directions.

The writ petition is disposed of as above.

Sd/-

**A. MUHAMED MUSTAQUE, JUDGE**

bpr