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. 24032 of 2015 (D)

PETITIONER :

ORMA TIMBERS
VP.VII/157A, THANKY JUNCTION, N.H.ROAD
KALAVANCODAM P.O., CHERTHALA, PIN – 688 586
REPRESENTED BY ITS MANAGING PARTNER LAJI JOSEPH.

BY ADVS.SRI.SHAJI CHIRAYATH
SMT.SAVITHA GANAPATHIYATAN
SRI.M.M.SHAJAHAN
SMT.JIJI M. VARKEY

RESPONDENT(S) :
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1. **STATE OF KERALA**
   REPRESENTED BY SECRETARY TO GOVERNMENT
   TAXES DEPARTMENT, GOVERNMENT SECRETARIAT
   THIRUVANANTHAPURAM, PIN - 695001.

2. **DEPUTY COMMISSIONER (APPEALS)**
   TAX COMPLEX, ASRAMOM P.O., CHINNAKKADA
   KOLLAM DISTRICT, PIN - 691002.

3. **COMMERCIAL TAX OFFICER-II**
   OFFICE OF THE COMMERCIAL TAX, CHERTHALA (PO)
   ALAPPUZHA DISTRICT, PIN - 688524.

4. **DEPUTY TAHSILDAR (REVENUE RECOVERY)**
   TALUK OFFICE, CHERTHALA (PO), ALAPPUZHA DISTRICT
   PIN – 688 524.

R1 TO R4 BY SR.GOVT. PLEADER SMT. SHOBA ANNAMMA EAPEN

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

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WP(C).No. 24032 of 2015 (D)

APPENDIX

PETITIONERS' EXHIBITS :

EXHIBIT-P1: COPY OF THE ASSESSMENT ORDER FOR THE YEAR 2011-12 ISSUED BY THE 3RD RESPONDENT.

EXHIBIT-P2: COPY OF THE APPEAL AGAINST EXHIBIT P1 ORDER.

EXHIBIT-P3: COPY OF THE STAY PETITION FILED ALONG WITH EXHIBIT-P2 APPEAL.

EXHIBIT-P4: COPY OF THE NOTICE UNDER SECTION 7 OF REVENUE RECOVERY ACT ISSUED BY THE 4TH RESPONDENT.

EXHIBIT-P5: TRUE COPY OF THE NOTICE UNDER SECTION 34 OF REVENUE RECOVERY ACT ISSUED BY THE 4TH RESPONDENT.

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

A. MUHAMED MUSTAQUE, J

W.P.(C).No. 24032 of 2015

Dated this the 07th day of August, 2015

JUDGMENT

The petitioner, as against assessment order for the year 2011-12, has filed an appeal as per Ext.P1. The petitioner also filed an application of stay as per Ext.P3 along with the appeal.

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

i) The stay application shall be disposed of within two months after issuing notice to the petitioner.

ii) Till the disposal of the stay application, the revenue recovery proceedings shall be deferred.

The writ petition is disposed of as above.

Sd/-

A. MUHAMED MUSTAQUE, JUDGE

bpr