

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR

THURSDAY, THE 12TH DAY OF MARCH 2015/21ST PHALGUNA, 1936

WP(C).No.26312 of 2014 (L)

PETITIONER:

**SIGIN P.PAUL,AGED 37 YEARS,S/O.POULOSE,
RESIDING AT PARAKKAL HOSUE,KORMALA,
KUTTICHIRA.P.O.,CHALAKKUDY TALUK,THRISSUR DISTRICT.**

**BY ADVS.SRI.G.HARIHARAN
SRI.PRAVEEN.H.**

RESPONDENTS:

- 1. JOINT REGIONAL TRANSPORT OFFICER,
CHALAKKUDY-680307.**
- 2. DEPUTY TAHSILDAR (RR),CHALAKKUDY-680307.**
- 3. THE VILLAGE OFFICER,KUTTICHIRA VILLAGE OFFICE,
KUTTICHIRA,CHALAKKUDY,THRISSUR DISTRICT-680721.**
- 4. M/S.SHRIRAM TRANSPORT FINANCE CO. LTD.,
1ST FLOOR,KANNAMPARAMBU BUILDING,
VAZHAPPILLY JUNCTION,MUVATTUPUZHA-686669.**

**R1 -R3 BY GOVT. PLEADER SMT.LILLY K.T.
R4 BY ADVS.SRI.C.HARIKUMAR
SMT.C.B.ANUROOPA**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 12-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

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WP(C).No.26312 of 2014 (L)

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1:TRUE COPY OF THE INTERIM AWARD PASSED BY THE ARBITRATOR IN CONNECTION WITH I.A.NO.808/2013 IN A.C. NO.4022/2012 ON 9-5-2013.

EXT.P2:TRUE COPY OF THE NOTICE DATED 20-11-13 ISSUED UNDER SECTION 34 OF THE REVENUE RECOVERY ACT.

EXT.P3:TRUE COPY OF THE RECEIPT DATED 19-6-2014 EVIDENCING PAYMENT OF RS. 10,500/- TOWARDS THE DEMAND MADE IN EXT.P2.

EXT.P4:TRUE COPY OF THE RECEIPT DATED 21-7-2014 EVIDENCING PAYMENT OF RS.10,000/- TOWARDS THE DEMAND MADE IN EXT.P2.

EXT.P5:TRUE COPY OF THE COUNTER AFFIDAVIT FILED BY THE PETITIONER BEFORE THE ARBITRATOR AGAINST EXHIBIT.P1 ORDER.

EXT.P6:TRUE COPY OF THE DEMAND NOTICE DATED 9-7-2014 ISSUED BY THE 1ST RESPONDENT DEMANDING A SUM OF RS. 24,210/-

EXT.P7:TRUE COPY OF THE NOTICE DATED 30-8-2014 ISSUED UNDER SECTION 7 OF THE RR ACT DEMANDING A SUM OF RS.25,180/- BY THE 2ND RESPONDENT AGAINST THE PETITIONER.

EXT.P8:TRUE COPY OF THE NOTICE DATED 30-8-2014 ISSUED UNDER SECTION 34 OF THE RR ACT DEMANDING A SUM OF RS. 25,180/- BY THE 2ND RESPONDENT AGAINST THE PETITIONER.

EXT.P9:TRUE COPY OF THE AGREEMENT DATED 7-7-2011 MADE BETWEEN THE 1ST RESPONDENT AND MR.MELVIN.

RESPONDENT'S EXHIBITS:

EXT.R4(a):A TRUE COPY OF THE RECEIPT OF THE PAYMENT DATED 29.1.2015.

//TRUE COPY//

P.S. TO JUDGE

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A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C) No.26312 of 2014 (L)

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Dated this the 12th day of March, 2015

JUDGMENT

The petitioner in the writ petition had approached this Court aggrieved by Exts.P7 and P8 notices, that were issued to him under the Kerala Revenue Recovery Act, demanding an amount of Rs.25,180/- towards the arrears of motor vehicle tax for the period from 01.10.2013.

2. When the matter was called today, it is submitted by the learned Government Pleader on instructions that, the amounts demanded from the petitioner by Exts.P7 and P8 notices have already been realised by the Government, and hence, there is no demand subsisting against the petitioner for the said period. This submission is recorded and the writ petition is allowed by quashing Exts.P7 and P8 notices as against the petitioner.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE

AMV/13/03/

