

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

FRIDAY, THE 11TH DAY OF SEPTEMBER 2015/20TH BHADRA, 1937

WP(C).No. 27474 of 2015 (H)

PETITIONER :

**LENIL KUMAR V.R., AGED 38 YEARS,
S/O.RAVEENDRAN, VALLORAKATHOOTTU HOUSE,
KIDANGOOR, ANKAMALY, ERNAKULAM.**

**BY ADVS.SRI.V.MAHENDRANATH
SRI.R.SYLESHWAREN NAIR**

RESPONDENTS :

- 1. THE DEPUTY THAHASILDAR (REVENUE RECOVERY)
ALUVA 683 101, ERNAKULAM.**
- 2. THE VILLAGE OFFICER
NEDUMBASSERY, ALUVA, ERNAKULAM 683 101.**
- 3. WILLIAM GEORGE, DIRECTOR,
IMMANUEL AVIATION AND CARGO SERVICES (P) LIMITED,
AIKKARATH BUILDINGS, AIRPORT-KALADY ROAD,
NAYATHODU P.O., ERNAKULAM 683 572.**

R1 & R2 BY GOVERNMENT PLEADER SMT. LILLY K.T.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 11-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1: COPY OF THE CERTIFICATE OF REGISTRATION IN RESPECT OF
ASHOK LEYLAND 50 SEATER SALOON VEHICLE.
- EXHIBIT P2: COPY OF THE CONTRACT CARRIAGE PERMIT PERTAINING TO THE
ASHOK LEYLAND 50 SEATER VEHICLE.
- EXHIBIT P3: COPY OF THE AGREEMENT BETWEEN THE PETITIONER AND THE 3RD
RESPONDENT DATED 3.12.13.
- EXHIBIT P4; COPY OF THE DEMAND NOTICE DATED 22.1.14 PER FILE
NO.2014/482/7 FROM THE 1ST RESPONDENT FOR RECOVERY OF TAX
DUES OF RS.55,125.00 IN REGARD VEHICLE NO.KL.02.E.5002.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C).No.27474 of 2015

.....
Dated this the 11th day of September, 2015

J U D G M E N T

The petitioner is a defaulter of motor vehicle tax dues to an extent of Rs.55,125/-. Ext.P4 is the demand notice issued to the petitioner by the 1st respondent in connection with the said tax dues. The limited prayer of the petitioner in the writ petition is for the grant of instalments so as to discharge the tax liability taking into consideration his poor financial condition.

2. I have heard the learned counsel for the petitioner and also the learned Government Pleader for the official respondents.

3. On a consideration of the facts and circumstances of the case as also the submissions made across the Bar, I dispose the writ petition with the following directions:

- i. The total amount due from the petitioner to the respondent is seen to be Rs.55,125/- together with interest and other recovery charges. Accordingly, if the petitioner pays the said amount of Rs.55,125/- together with interest and other recovery charges in 12 equal successive monthly instalments commencing from 30.09.2015, then

the further proceedings for recovery of amounts from the petitioner shall be kept in abeyance.

(ii) It is made clear that if the petitioner commit a default in respect of any of the instalments, he will lose the benefit of this judgment and the respondents will be free to continue the recovery proceedings against himm from the stage at which they presently stand.

A.K.JAYASANKARAN NAMBIAR
JUDGE

mns