

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

THURSDAY, THE 17TH DAY OF SEPTEMBER 2015/26TH BHADRA, 1937

WP(C).No. 27703 of 2015 (K)

PETITIONER(S):

**SUNIL AGED 45 YEARS
S/O. RANGANATHAN, ANANDA BHAVAN, TKMC P.O
KURICODE P.O, KOLLAM DISTRICT**

BY ADV. SRI.O.D.SIVADAS

RESPONDENT(S):

**THE REGIONAL TRANSPORT OFFICER,
KOLLAM- 691 001**

R BY GOVERNMENT PLEADER, SMT. LILLY K.T.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
17-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1	COPY OF THE PERMIT ISSUED TO THE PETITIONER
EXT.P2	COPY OF THE RELEVANT PORTION OF THE PAPER PUBLICATION
EXT.P3	COPY OF THE RECEIPT DATED 28-05-2015
EXT.P4	COPY OF THE AFFIDAVIT SUBMITTED BY THE PETITIONER
EXT.P5	COPY OF THE REPORT DATED 11-08-2015
EXT.P6	COPY OF THE APPLICATIOND ATED 1-09-2015

RESPONDENT'S EXHIBITS

NIL

// True copy //

PA to Judge

das

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C). No. 27703 of 2015

Dated this the 17th day of September, 2015

JUDGMENT

The petitioner in the writ petition is the registered owner of a contract carriage bearing registration No.KL 02 T/4050. In the writ petition, he is aggrieved by the demand of motor vehicle tax at contract carriage rate since his contention is that, during the relevant period the vehicle was garaged and therefore, was not used as a contract carriage. It is his contention that the correct rate of tax applicable would be as applicable to non-transport vehicles. In this connection, he has preferred Ext.P6 application before the respondent and the limited prayer of the petitioner in the writ petition is for a direction to the respondent to consider Ext.P6 application in the light of Ext.P5 report of the Sub Inspector of Police.

2. I have heard the learned counsel appearing for the petitioner as also the learned Government Pleader appearing for the respondent.

On a consideration of the facts and circumstances of the case and the submissions made across the bar, I dispose the writ petition with a direction to the respondent to consider and pass

orders on Ext.P6 application submitted by the petitioner, in the light of Ext.P5 report of the Sub Inspector of Police, within a period of one month from the date of receipt of a copy of this judgment, after hearing the petitioner. The petitioner shall produce a copy of the writ petition, together with a copy of this judgment before the respondent for further action.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE

das