

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

WEDNESDAY, THE 16TH DAY OF SEPTEMBER 2015/25TH BHADRA, 1937

WP(C).NO. 27928 OF 2015 (M)

PETITIONER:

**UNNIKRISHNAN, S/O.LAKSHMIKUTTY AMMA,
NEDUNGATH HOUSE, MUDAPPALLUR P.O., PALAKKAD.**

BY ADV. SRI.I.DINESH MENON

RESPONDENT:

- 1. THE DEPUTY TRANSPORT COMMISSIONER,
CENTRAL ZONE II, THRISSUR-680 002.**
- 2. THE REGIONAL TRANSPORT OFFICER,
THRISSUR-680 002.**

BY GOVERNMENT PLEADER SMT.LILLY.K.T.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
16-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

AS

WP(C).NO. 27928 OF 2015 (M)

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF THE DEMAND NOTICE DATED 23.07.2015.

**EXT.P2: COPY OF THE APPEAL MEMORANDUM WITH STAY PETITION
AND CHALAN.**

RESPONDENT'S EXHIBITS : NIL

/TRUE COPY/

P.A.TO JUDGE

AS

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C).NO.27928 OF 2015

Dated this the 16th day of September, 2015

J U D G M E N T

Against Ext.P1 demand notice issued under the Kerala Motor Vehicles Taxation Act, the petitioner has preferred Ext.P2 appeal with stay petition before the 1st respondent. The grievance of the petitioner is that even before considering the stay petition, the respondents are taking steps to recover the amounts confirmed against the petitioner by Ext.P1 demand notice.

2. I have heard the learned counsel appearing for the petitioner and also the learned Government Pleader appearing for the 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:

1. The 1st respondent shall consider and pass orders on Ext.P2 appeal within a period of one month from the date of receipt of a copy of this judgment, after hearing the petitioner.

2.Recovery steps for recovery of amounts confirmed against petitioner by Ext.P1 demand notice shall be kept in abeyance till orders are passed by the 1st respondent as directed above and communicated to the petitioner.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE

rsr