

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

WEDNESDAY, THE 23RD DAY OF SEPTEMBER 2015/1ST ASWINA, 1937

WP(C).No. 28797 of 2015 (Y)

PETITIONER(S):

**JULIE THOMAS AGED 49 YEARS
W/O. T.T THOMAS, THAZHATHU THUNDIYIL HOUSE
KATTAPPANA PO, IDUKKI**

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

RESPONDENT(S):

- 1. THE SECRETARY, REGIONAL TRANSPORT AUTHORITY
CIVIL STATION, KAKKANAD, ERNAKULAM - 682 030**
- 2. THE DEPUTY TRANSPORT COMMISSIONER
CENTRAL ZONE- II, KAKKANAD,
ERNAKULAM - 682 030**
- 3. REGIONAL TRANSPORT OFFICER,
NATIONALIZED SECTOR, CIVIL STATION,
KUDAPPANAKKUNNU, THIRUVANANTHAPURAM - 695 043**

R BY GOVERNMENT PLEADER, SRI. LIJU V. STEPHEN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
23-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER'S EXHIBITS:-

- EXT.P1 TRUE COPY OF THE PERMIT RELATING TO VEHICLE No.KL-06F-8006 TO OPERATE ON THE ROUTE NEDUMKANDAM- KARIKKOTTAKARI
- EXT.P2 TRUE COPY OF THE PROCEEDINGS OF RTA, ERNAKULAM DATED 02.06.2015.
- EXT.P3 TRUE COPY OF THE TAX TOKEN ISSUED BY THE 1ST RESPONDENT EVIDENCING PAYMENT OF TAX FOR THE VEHICLE MENTIONED IN EXHIBIT P1
- EXT.P4 TRUE COPY OF THE INFORMATION DATED 23.03.2015 FURNISHED BY THE 3RD RESPONDENT TO THE PETITIONER.
- EXT.P5 TRUE COPY OF THE GOVERNMENT ORDER No.45/2015/TRNS DATED 20.08.2015 ISSUED BY THE GOVERNMENT OF KERALA (SECRETARY TO GOVERNMENT TRANSPORT DEPARTMENT, THIRUVANANTHAPURAM
- EXT.P6 TRUE COPY OF THE APPLICATION DATED 01.07.2015 MADE BY THE PETITIONER FOR REFUND OF TAX BEFORE THE 2ND RESPONDENT.

RESPONDENT'S EXHIBITS:-

NIL

// True copy //

PA to Judge

das

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C). No. 28797 of 2015

Dated this the 23rd day of September, 2015

JUDGMENT

The petitioner, who is a stage carriage operator, has filed Ext.P6 application, seeking refund of tax paid by him under the Kerala Motor Vehicle Taxation Act, before the 2nd respondent. The limited prayer of the petitioner in the writ petition is for a direction to the 2nd respondent to consider and pass orders on Ext.P6 application, expeditiously, after hearing the petitioner.

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

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 2nd respondent to consider and pass orders on Ext.P6 application preferred by the petitioner for refund of tax, within 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 2nd respondent for further action.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE