

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

WEDNESDAY, THE 7TH DAY OF OCTOBER 2015/15TH ASWINA, 1937

WP(C).No. 30361 of 2015 (U)

PETITIONER(S):

**SONA, AGED 36 YEARS,
W/O.VIGESH, ARIPPA HOUSE,
P.O. AZHIKODE, KANNUR DISTRICT.**

**BY ADVS.SRI.C.P.PEETHAMBARAN,
SMT.MINI.V.A.**

RESPONDENT(S):

- 1. THE TAXATION OFFICER,
MOTOR VEHICLES TAXATION DEPARTMENT,
KANNUR-670 001.**
- 2. THE REGIONAL TRANSPORT AUTHORITY,
KANNUR, REPRESENTED BY ITS SECRETARY, PIN-670 001.**

BY GOVT. PLEADER SRI.R. RANJITH.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 07-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

WP(C).No. 30361 of 2015 (U)

APPENDIX

PETITIONER'S EXHIBITS:-

**EXT.P1 COPY OF THE CONTRACT CARRIAGE PERMIT OF PETITIONER'S
BUS BEARING REG. NO.KL-02-U-4005.**

**EXT.P2 COPY OF THE TAX RECEIPT DATED 10/12/2014 SHOWING
REMITTANCE OF TAX FOR THE LAST QUARTER OF 2014.**

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C). No. 30361 of 2015

Dated this the 7th day of October, 2015

JUDGMENT

The petitioner, who is the owner of a tourist bus, bearing registration No.KL-02/U-4005, is faced with recovery proceedings for recovery of Motor Vehicle Tax for three quarters, for the year 2015. It is submitted that the quarterly payment works out to Rs.36,750/- and the petitioner has defaulted in the payment of motor vehicle tax for three quarters. In the writ petition, the limited prayer of the petitioner is to permit the petitioner to remit the said arrears in installments.

2. I have heard the learned counsel appearing on behalf of the petitioner as also the learned Government Pleader appearing on behalf of the respondents.

3. On a consideration of the facts and circumstances of the case and the submissions made across the bar, I note that the sole prayer of the petitioner is to permit him to remit the arrear amounts outstanding in easy installments. Taking into account the plea of financial hardship raised by the petitioner, I dispose the writ petition with the following directions:-

- (i) The total arrear amounts, in respect of the motor vehicle tax, is stated to be Rs.1,10,250/- together with interest and other charges. Accordingly, if the petitioner remits the aforesaid amount of Rs.1,10,250/- together with interest and other charges in six equal and successive monthly installments commencing from 01.11.2015, then the recovery steps initiated against him by the respondent bank shall be kept in abeyance.
- (ii) It is made clear that if the petitioner commits a default in respect of any of the installments, he will lose the benefit of this judgment and the respondent will be free to continue the recovery proceedings against him from the stage at which they presently stand.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE