

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

TUESDAY, THE 27TH DAY OF OCTOBER 2015/5TH KARTHIKA, 1937

WP(C).No. 30920 of 2015 (L)

PETITIONER:

**ABDU.T.K, S/O.ALI KUNHI,
THUNDAKKACHI, IRINGAL P.O,
C.POIL, PARIYARAM.G.P, KANNUR DT.**

**BY ADVS.SRI.K.R.AVINASH (KUNNATH)
SRI.C.H.ABDUL RASAC**

RESPONDENT(S):

- 1. THE DISTRICT COLLECTOR,
KANNUR DISTRICT, KANNUR.**
- 2. THE SUB REGIONAL TRANSPORT OFFICER,
THALIPARAMBA, KANNUR DISTRICT.**
- 3. THE SPECIAL DEPUTY TAHASILDAR,
REVENUE RECOVERY, TALUK OFFICE,
THALIPARAMBA - 670 141.**

BY GOVERNMENT PLEADER SMT.K.T.LILLY

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 27-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

APPENDIX

PETITIONER(S)' EXHIBITS:

- P1- THE TRUE COPY OF CONTRACT CARRIAGE PERMIT DATED 9.10.2006 ISSUED BY THE 2ND RESPONDENT.
- P2- TRUE COPY OF THE REQUEST LETTER DATED 6.8.2014 SUBMITTED BEFORE THE 2ND RESPONDENT.
- P3- TRUE COPY MOTOR VEHICLE DEMAND NOTICE DATED 24.8.2011 ISSUED BY THE 2ND RESPONDENT.
- P4- TRUE COPY OF THE DEMAND NOTICE DATED 12.3.2014 ISSUED BY THE 2ND RESPONDENT.
- P5- TRUE COPY OF THE DEMAND NOTICE DATED 23.4.2014 ISSUED BY THE 2ND RESPONDENT.
- P6- TRUE COPY OF THE G FORM DATED 7.1.2012.
- P7- TRUE COPY OF THE G FORM DATED 7.4.2012.
- P8- TRUE COPY OF THE DEMAND NOTICE DATED 2.7.2015.
- P9- TRUE COPY OF THE DEMAND NOTICE DATED 2.7.2015.

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S. TO JUDGE

mbr/

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C).No.30920 of 2015

.....
Dated this the 27th day of October, 2015

J U D G M E N T

The limited prayer of the petitioner, who is faced with recovery steps for recovery of motor vehicle tax arrears is for the grant of instalments for payment of the tax amounts due as per Exts.P8 and P9 demand notices.

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

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

(i) The amounts due from the petitioner by way of arrears of motor vehicle tax as per Exts.P8 and P9 notices is Rs.2,97,675/- together with interest and other charges. Accordingly, if the petitioner pays the said amount of Rs.2,97,675/- together with interest and other charges in six equal and successive monthly instalments commencing from 16.11.2015, the recovery steps initiated against the petitioner by the respondents shall be kept in abeyance.

(ii) It is made clear that, if the petitioner commits 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 them from the stage at which they presently stand.

A.K.JAYASANKARAN NAMBIAR
JUDGE

mns/27.10.15

