

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR**

**WEDNESDAY, THE 28TH DAY OF OCTOBER 2015/6TH KARTHIKA, 1937**

**WP(C).No. 32659 of 2015 (F)**  
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**PETITIONER:**  
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**VISHNU PRASAD, 413.LAITHA VIHAR,  
4 MANGADU.P.O, KOLLAM.**

**BY ADV. SRI.STALIN PETER DAVIS**

**RESPONDENTS:**  
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**THE REGIONAL TRANSPORT OFFICER,  
KOLLAM.(TAXATION OFFICER)-691506.**

**BY GOVERNMENT PLEADER SMT.LILLY.K.T**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 28-10-2015, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:**

**mbr/**

WP(C).No. 32659 of 2015 (F)

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**APPENDIX**

**PETITIONER(S)' EXHIBITS:**

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**P1 :     A TRUE COPY OF THE DEMAND NOTICE DT.5/1/14 IN RESPECT OF CONTRACT  
CARRIAGE KL-2/G 7495.**

**RESPONDENT(S)' EXHIBITS:**

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**NIL**

**//TRUE COPY//**

**P.S. TO JUDGE**

**mbr/**

**A.K.JAYASANKARAN NAMBIAR, J.**  
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**W.P.(C). No. 32659 of 2015**  
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**Dated this the 28<sup>th</sup> day of October, 2015**

**JUDGMENT**

The petitioner, who is faced with a demand for arrears of Motor Vehicle Tax for the period from 01.07.2013 to 31.12.2013, seeks only a facility of installments to discharge the liability in Ext.P1 notice.

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

3. On a consideration of the facts and circumstances of the case and the submissions made across the bar, and taking note of the financial hardship urged on behalf of the petitioner, I dispose the writ petition with the following directions:

- (i) The total amount due from the petitioner by way of arrears of tax for the period from 01.07.2013 to 31.12.2013 as evidenced by Ext.P1 is Rs.37,100/- together with applicable additional tax. Accordingly, if the petitioner remits the aforesaid amount of Rs.37,100/- together with interest in four equal and successive monthly

installments commencing from 15.11.2015, then further proceedings for recovery 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**