

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

MONDAY, THE 9TH DAY OF NOVEMBER 2015/18TH KARTHIKA, 1937

WP(C).No. 32825 of 2015 (C)

PETITIONER :

**EMMANUAL,
MOOLETHOPPIL, SHATHIKULANGARA,
MARUTHADY P.O., KOLLAM.**

BY ADV. SRI.STALIN PETER DAVIS

RESPONDENT :

**THE REGIONAL TRANSPORT OFFICER
KOLLAM. (TAXATION OFFICER) - 691 001.**

BY GOVT. PLEADER SRI. R. RANJITH

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 09-11-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

...2/-

WP(C).No. 32825 of 2015 (C)

APPENDIX

PETITIONERS' EXHIBITS :

**EXT.P-1: A TRUE COPY OF THE DEMAND NOTICE DT. 7.10.15 IN RESPECT OF
 CONTRACT CARRIAGE KL - 4/N 4827.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C).NO.32825 OF 2015

Dated this the 9th day of November, 2015

J U D G M E N T

The petitioner, who is the owner of a contract carriage bearing registration No.KL-4/N 4827, is aggrieved by the revenue recovery steps initiated against him for recovery of arrears of motor vehicle tax. In the writ petition, the limited prayer of the petitioner is for a grant of instalments so as to discharge his liabilities due to the respondent.

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

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

(i) The total amount outstanding from the petitioner towards motor vehicle tax arrears pursuant to Ext.P1 demand notice is stated to be Rs.63,589/- together with accrued interest. Accordingly, if the petitioner pays the aforesaid

amount of Rs.63,589/- together with accrued interest in six equal and successive monthly instalments commencing from 30.11.2015, the recovery steps initiated against the petitioner by the respondent 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 respondent will be free to continue the recovery proceedings against them from the stage at which they presently stand.

A.K.JAYASANKARAN NAMBIAR
JUDGE

mns/9.11.2015

