

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. 33872 of 2015 (H)

PETITIONER:

**KATHIKUDAM KALIMON VYAVASAYA
CO-OP.SOCIETY LTD. R-24, SREE AYYAPPA TILES,
KATHIKUDAM, KORATTY, THRISSUR DISTRICT,
REPRESENTED BY ITS VICE PRESIDENT.**

**BY ADVS.SRI.DEEPU THANKAN
KUM.P.V.JAYALAKSHMY
SMT.G.RANJITA**

RESPONDENT(S):

- 1. THE COMMERCIAL TAX OFFICER,
CHALAKKUDY - 680 307.**
- 2. THE ASSISTANT COMMISSIONER(APPEALS),
COMMERCIAL TAXES, THRISSUR - 680 003.**
- 3. THAHASILDAR, CHALAKKUDY - 680 307.**
- 4. KERALA KHADI AND VILLAGE INDUSTRIES BOARD,
THIRUVANANTHAPURAM - 695 001.**

**R1 TO R3 BY GOVERNMENT PLEADER SMT.LILLY.K.T
R4 BY SRI.TOM K.THOMAS, SC**

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

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APPENDIX

PETITIONERS' EXHIBITS:

- EXT. P1 : TRUE COPY OF THE CERTIFICATE ISSUED BY THE KERALA KHADI AND VILLAGE INDUSTRIES BOARD, THIRUVANANTHAPURAM ON 4.1.1995.
- EXT. P2 : TRUE COPY OF THE CERTIFICATE ISSUED BY THE KERALA KHADI AND VILLAGE INDUSTRIES BOARD, THIRUVANANTHAPURAM ON 17.12.1996.
- EXT. P3 : TRUE COPY OF THE CERTIFICATE ISSUED BY THE KERALA KHADI AND VILLAGE INDUSTRIES BOARD, THIRUVANANTHAPURAM ON 19.4.2013.
- EXT. P4 : TRUE COPY OF THE CERTIFICATE ISSUED BY THE KERALA KHADI AND VILLAGE INDUSTRIES BOARD, THIRUVANANTHAPURAM ON 31.3.2009.
- EXT. P5 : TRUE COPY OF THE LETTER OF THE GOVT. OF KERALA DATED 6.11.2009.
- EXT. P6 : TRUE COPY OF THE ASSESSMENT ORDER PASSED BY THE 1ST RESPONDENT FOR THE YEAR 2009-2010 DATED 22.11.2014.
- EXT. P7 : TRUE COPY OF THE JUDGMENT OF THIS HON'BLE COURT IN WP.NO.14978/2015 DATED 22.5.2015.
- EXT. P8 : TRUE COPY OF THE ORDER OF THE 2ND RESPONDENT DATED 7.8.2015.
- EXT. P9 : TRUE COPY OF THE REVENUE RECOVERY NOTICE ISSUED BY THE 3RD RESPONDENT DATED 9.10.2015.

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

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A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C) No. 33872 of 2015

Dated this the 9th day of November 2015

JUDGMENT

The limited prayer of the petitioner in this writ petition is for an extension of time to comply with the directions in Ext.P8 order of the 2nd respondent, passed in the appeals that were preferred by the petitioner against the orders of assessment under the Central Sales Tax Act, for the assessment years 2009-10 to 2012-13.

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

3. On a consideration of the facts and circumstances of the case as also the submissions made across the Bar and taking into account the plea of financial hardship raised by the petitioner, I direct that, if the petitioner complies with the conditions in Ext.P8 order on or before 15.12.2015, then the same shall be treated as in compliance with the directions in Ext.P8 order of the 2nd respondent, and the 2nd respondent shall

proceed to hear the appeals of the petitioner, on merits.

The writ petition is disposed as above.

Sd/-

A.K.JAYASANKARAN NAMBIAR
JUDGE

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