

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

WEDNESDAY, THE 11TH DAY OF NOVEMBER 2015/20TH KARTHIKA, 1937

WP(C).No. 34003 of 2015 (A)

PETITIONER(S):

**O.P. KUNJAPPAN,
S/O.PAILY, ORAVALAKKUDY HOUSE,
NELLIKUZHY P.O., KOTHAMANGALAM.**

BY ADV. SRI.PRASAD CHANDRAN.

RESPONDENT(S):

**THE JOINT REGIONAL TRANSPORT OFFICER,
(TAXATION AUTHORITY), KOTHAMANGALAM, PIN- 686 691.**

BY GOVT.PLEADER SRI.RANJITH.

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

rs.

WP(C).No. 34003 of 2015 (A)

APPENDIX

PETITIONER'S EXHIBITS:-

- P1: THE COPY OF THE REGISTRATION PARTICULARS OF THE PETITIONER'S VEHICLE KL 44/B 1257.**
- P2: THE COPY OF THE ENDORSEMENT OF TAX IN RESPECT OF THE PETITIONERS VEHICLE KL 44/B 1257.**
- P3: THE COPY OF THE APPLICATION SUBMITTED BY THE PETITIONERS BEFORE THE RESPONDENT FOR EXEMPTION OF TAX DATED 21.03.2014.**

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C) No.34003 of 2015

Dated this the 11th day of November 2015

JUDGMENT

The limited prayer of the petitioner in the writ petition is for a direction to the respondent to consider and pass orders on Ext.P3 application that has been preferred by the petitioner, seeking exemption from levy of Motor Vehicle Tax, on the ground that the vehicle owned by the petitioner is used by the petitioner exclusively within the estate premises owned by him, and is not put to use on public roads.

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

3. On a consideration of the facts and circumstance of the case as also the submissions made across the Bar, I direct the respondent to consider and pass orders on Ext.P3 application preferred by the petitioner within a period of one month, after hearing the petitioner. While passing orders as directed the

respondent shall take note of the decision of the Supreme Court in
Travancore Tea Co. Ltd. v. State of Kerala [1980 KLT (SC) 568].

The writ petition is accordingly disposed.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE

sm/