

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. 34021 of 2015 (C)

PETITIONER(S):

**K.P.VEERANKUTTY, MANAGING DIRECTOR,
ZEWAR COMMERCIAL CONSTRUCTIONS PVT.LTD.,
IIIRD FLOOR, MALABAR GATE, KOZHIKODE.**

**BY ADVS.SRI.K.R.AVINASH (KUNNATH)
SRI.ABDUL RAOOF PALLIPATH**

RESPONDENT(S):

- 1. THE REVENUE DIVISIONAL OFFICER,
THALASSERY, KANNUR DISTRICT.**
- 2. THE TAHSILDAR, KANNUR-1.**
- 3. THE VILLAGE OFFICER,
VILLAGE OFFICE, KANNUR-1.**
- 4. STATE OF KERALA
REPRESENTED BY CHIEF SECRETARY,
SECRETARIAT, TRIVANDRUM-690001.**

BY GOVERNMENT PLEADER SRI.RENJITH

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

PJ

WP(C).No. 34021 of 2015 (C)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT-P1: A TRUE COPY OF THE ASSESSMENT ORDER DATED 3.3.15

EXHIBIT-P2: A TRUE COPY OF THE LETTER GIVEN BY THE PETITIONER

EXHIBIT-P3: A TRUE COPY OF THE RECEIPT ISSUED Y THE R2 DATED 31/3/15

**EXHIBIT P4: COPY OF THE APPEAL MEMORANDUM ALONG WITH APPLICATION
FOR STAY.**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.K.JAYASANKARAN NAMBIAR, J.
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Dated this the 11th day of November, 2015

JUDGMENT

Against Ext.P1 order of assessment passed under the Kerala Building Tax Act, the petitioner preferred Ext.P4 appeal and stay petition before the 1st respondent. The grievance of the petitioner is that even before considering the stay petition, the respondents are taking steps to recover the amounts confirmed against the petitioner by Ext.P1 order.

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

On a consideration of the facts and circumstances of the case and the submissions made across the bar, I dispose the writ petition with a direction to the 1st respondent to consider and pass orders on Ext.P4 appeal, preferred by the petitioner before him, within a period of two months from the date of receipt of a copy of this judgment, after hearing the petitioner. The recovery steps for recovery of amounts confirmed against the petitioner by Ext.P1 order, shall be kept in abeyance till such time as the 1st respondent

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passes orders, as directed, and communicates the same to the petitioner.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE

das /11.11.15