

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

FRIDAY, THE 13TH DAY OF NOVEMBER 2015/22ND KARTHIKA, 1937

WP(C).No. 34226 of 2015 (C)

PETITIONER :

**STEPHEN
S/O. ANTHONY, 7/213,
PIDIYATH HOUSE, THALORE,
NENMANIKKARA G.P., THRISSUR.**

BY ADV. SRI.P.DEEPAK

RESPONDENT :

**THE REGIONAL TRANSPORT OFFICER (TAXATION OFFICER),
THRISSUR - 680 001.**

BY GOVT. PLEADER SMT. K.T. LILLY

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 13-11-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

...2/-

APPENDIX

PETITIONERS' EXHIBITS :

- EXHIBIT P1 A TRUE COPY OF THE REGULAR PERMIT VALID TILL 12-07-2011.
- EXHIBIT P2 A TRUE COPY OF THE SERVICE VERIFICATION REPORT FOR THE PERIOD 01-04-2012 TO 31-03-2013.
- EXHIBIT P3 A TRUE COPY OF 'FORM G' DATED 08-04-2013 CLAIMING EXEMPTION FOR THE PERIOD FROM 01-04-2013 TO 31-03-2014.
- EXHIBIT P3(a) A TRUE COPY OF THE SERVICE VERIFICATION REPORT DATED 14-03-2014 CERTIFYING NON USER OF THE VEHICLE FOR THE PERIOD 01-04-2013 TO 10-03-2014.
- EXHIBIT P4 A TRUE COPY OF THE 'FORM G' DATED 07-04-2014 SEEKING EXEMPTION FOR THE PERIOD FROM 01-04-2014 TO 31-03-2015.
- EXHIBIT P5 A TRUE COPY OF THE 'FORM G' DATED 06-08-2014.
- EXHIBIT P6 A TRUE COPY OF THE 'FORM G' DATED 05-12-2014.
- EXHIBIT P6(a) A TRUE COPY OF THE SERVICE VERIFICATION REPORT DATED 1.4.2015 FOR THE PERIOD 31/12/2014.
- EXHIBIT P7 A TRUE COPY OF THE FORM G DATED 07-01-2015.
- EXHIBIT P7(a) A TRUE COPY OF THE SERVICE VERIFICATION REPORT DATED 01-04-2015 FOR THE QE 31-03-2015.
- EXHIBIT P8 A TRUE COPY OF THE SAID DEMAND NOTICE DATED 23-05-2015.
- EXHIBIT P9 A TRUE COPY OF THE REPRESENTATION DATED 03-12-2014.
- EXHIBIT P10 A TRUE COPY OF THE JUDGMENT DATED 24-09-2009 IN O.P NO. 2393 OF 2001

RESPONDENT(S)' EXHIBITS : **NIL**

//TRUE COPY//

P.A. TO JUDGE

Mn

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C) No.34226 of 2015

Dated this the 13th day of November 2015

JUDGMENT

The petitioner, who is the registered owner of a stage carriage, has filed Ext.P9 representation before the respondent seeking permission to discharge tax liability in respect of the vehicle for the period from April 2014 to November 2014, at the rate applicable to non-transport vehicle. The limited prayer of the petitioner is for a direction to the respondent to consider and pass orders on Ext.P9 representation, preferred by the petitioner within a stipulated time frame, after taking note of Ext.P10 judgment rendered by this Court.

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

3. On a consideration of the facts and circumstances of the case as also the submissions made across the Bar, there will be direction to the respondent to consider and pass orders on Ext.P9 representation preferred by the petitioner, within a period of three weeks from the date of receipt of copy of this judgment, after

hearing the petitioner. The respondent, while passing orders as directed, shall take note of Ext.P10 judgment of this Court. Recovery steps pursuant to Ext.P8 demand notice shall be kept in abeyance till such time as orders are passed by the respondent, as directed, and communicated to the petitioner.

The writ petition is disposed as above.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE

sm/