IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

WEDNESDAY, THE 11TH DAY OF MARCH 2015/20TH PHALGUNA, 1936

WP(C).No. 35496 of 2014 (J)

PETITIONER :

JAYACHANDRAN,
5/445, KAIPPILLY HOUSE, MULAYAM
THRISSUR.

BY ADV. SRI.K.V.GOPINATHAN NAIR

RESPONDENT(S) :

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1. THE REGIONAL TRANSPORT OFFICER,
   THRISSUR, PIN-680 001.

2. THE DISTRICT EXECUTIVE OFFICER
   KERALA MOTOR TRANSPORT WORKERS WELFARE FUND BOARD
   THRISSUR, PIN-680 001.

R1 BY SR. GOVT. PLEADER SMT. SHOBA ANNAMMA EAPEN
R2 BY ADV. SRI.K.S.MANU, SC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 11-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

Mn

WP(C).No. 35496 of 2014 (J)

<u>**APPENDIX**</u>

PETITIONERS' EXHIBITS :

EXT. P1- **TRUE COPY OF THE REGISTRATION PARTICULARS IN RESPECT OF THE 1ST PETITIONER'S STAGE CARRIAGE KL-42/2743.**

EXT. P2- **TRUE COPY OF THE DEMAND DRAFT PURCHASED BY THE PETITIONER FOR RS.24,288/- DATED 17.12.2014.**

EXT. P3- **TRUE COPY OF THE ORDER OF THIS HONOURABLE COURT IN W.P[C] NO.33830/2014 DATED 15.12.2014.**

RESPONDENT(S)' EXHIBITS : NIL
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//TRUE COPY//

P.A. TO JUDGE

Mn

A.K.JAYASANKARAN NAMBIAR, J.

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W.P.(C).No.35496 of 2014

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Dated this the 11th day of March, 2015

<u>J U D G M E N T</u>

The petitioner, who is a stage carriage operator had approached this Court through the present writ petition seeking a direction to the 2nd respondent to accept amounts relating to contribution, under the Kerala Motor Transport Workers Welfare Fund Act, in order to enable the petitioner to remit the motor vehicle tax amounts to the State Government. By an interim order dated 30.12.2014, this Court had permitted the petitioner to make a payment of Rs.24,288/- to the 1st respondent towards motor vehicle tax dues notwithstanding the fact that the liability to the 2nd respondent had not been satisfied. The petitioner would now submit that he has since made a payment of Rs.26,250/-, representing the entire arrears of contributions under the Kerala Motor Transport Workers Welfare Fund Act, to the 2nd respondent and the said payment is acknowledged by the 2nd respondent. In that view of the matter, nothing remains to be agitated in the writ petition as of now.

The only subsisting apprehension of the petitioner is with regard to acceptance of motor vehicle tax for the present quarter, by the 1st respondent. Under these circumstances, I dispose the writ petition with the following directions:

i. Insofar as it is not in dispute that the petitioner has discharged his liability under the Kerala Motor Transport Workers Welfare Fund Act to the 2nd respondent, the 2nd respondent shall issue the necessary certificate evidencing the fact of discharge of dues by the petitioner, so as to enable the petitioner to remit the motor vehicle tax amount for the present quarter.

ii. If the petitioner produces a copy of the certificate issued by the 2nd respondent, and tenders the motor vehicle tax amounts, together with interest and other charges, if any, before the 1st respondent, the 1st respondent shall forthwith accept the same, and make the necessary endorsements in the registration certificate of the vehicle belonging to the petitioner.

A.K.JAYASANKARAN NAMBIAR
JUDGE

mns