

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

WEDNESDAY, THE 2ND DAY OF DECEMBER 2015/11TH AGRAHAYANA, 1937

WP(C).No. 35789 of 2015 (W)

PETITIONER(S) :

**AHAMMED ABOOTTI,
VARATHODE HOUSE, SHIVAPURAM P.O, THALASSERY.**

BY ADV. SRI.I.DINESH MENON

RESPONDENT(S) :

- 1. REGIONAL TRANSPORT OFFICER/ TAXATION OFFICER,
KANNUR-670 001.**
- 2. THE TAHSILDAR,
REVENUE RECOVERY, THALASSERY-670 101.**

BY GOVERNMENT PLEADER SMT.LILLYK.T

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 02-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' EXHIBITS :

- P1 : TRUE COPY OF THE REGULAR PERMIT IN RESPECT OF SC KL-58 4545.**
- P2 : TRUE COPY OF THE APPLICATION FOR RENEWAL DATED 05-09-2014.**
- P3 : TRUE COPY OF THE DEMAND NOTICE DATED 09-07-2014.**
- P4 : TRUE COPY OF THE DEMAND NOTICE DATED 11-10-2014.**
- P5 : TRUE COPY OF THE OBJECTION DATED 18-10-2014.**
- P6 : TRUE COPY OF THE RECOVERY NOTICE DATED 17-10-2014 UNDER SECTION 7 OF REVENUE RECOVERY ACT.**
- P7 : TRUE COPY OF THE INTERIM ORDER IN W.P(C).NO.29046/2014 DATED 05-11-2014.**
- P8 : TRUE COPY OF THE JUDGMENT IN W.P(C).NO.29046/2014 DATED 16-12-2014.**
- P9 : TRUE COPY OF THE REVENUE RECOVERY NOTICE UNDER SECTION 7 AND 34 DATED 20-04-2015.**
- P10 : TRUE COPY OF THE OBJECTION DATED 16-11-2015.**

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

PA.TO JUDGE.

Msd.

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C).No.35789 of 2015

.....
Dated this the 2nd day of December, 2015

J U D G M E N T

The limited prayer of the petitioner in the writ petition is for a direction to the 1st respondent to consider and pass orders on Ext.P10 objection that has been preferred in connection with the classification of his vehicle for the purposes of tax.

2. I have heard the learned counsel for the petitioner and also the learned Government Pleader for the respondents. The learned Government Pleader on instructions would submit that a copy of Ext.P10 objection was received by the 1st respondent only on 30.11.2015.

3. On a consideration of the facts and circumstances of the case and the submissions made across the bar and taking note of the submission of the learned Government Pleader, I dispose the writ petition with a direction to the 1st respondent to consider and pass orders on Ext.P10 objection, after hearing the petitioner within a period of three weeks from the date of receipt of a copy of this judgment. Recovery proceedings, if any initiated against the petitioner for recovery of the tax amounts that are objected to in Ext.P10 objection, shall be kept in abeyance till such time as

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orders are passed by the 1st respondent as directed above and
communicated to the petitioner.

A.K.JAYASANKARAN NAMBIAR
JUDGE

mns/02.12.15