

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

THURSDAY, THE 26TH DAY OF NOVEMBER 2015/5TH AGRAHAYANA, 1937

WP(C).No. 35874 of 2015 (H)

PETITIONER:

**ASOKAN VASU, AGED 61 YEARS,
S/O.VASU, PRATHIBHAS, NAVAIKULAM,
THIRUVANANTHAPURAM DISTRICT.**

BY ADV. SRI.T.M.ABDUL LATHEEF

RESPONDENT(S):

- 1. STATE OF KERALA, REPRESENTED BY
SECRETARY TO GOVERNMENT,
MOTOR VEHICLES DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM - 695 001.**
- 2. THE REGIONAL TRANSPORT OFFICER,
ATTINGAL - 695 101, THIRUVANANTHAPURAM DISTRICT.**
- 3. THE MOTOR VEHICLES INSPECTOR,
ATTINGAL - 695 101, THIRUVANANTHAPURAM DISTRICT.**
- 4. THE DEPUTY TAHSILDAR, REVENUE RECOVERY,
TALUK OFFICE, VARKALA - 665 141.**

BY GOVERNMENT PLEADER SMT.LILLYK.T.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 26-11-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

APPENDIX

PETITIONERS' EXHIBITS:

- EXT. P1 : TRUE COPY OF THE LETTER NO.TVM:M&M:WS:2013:15
DATED 30.5.2013 ISSUED BY TVS & SONS TO 2ND RESPONDENT.
- EXT. P2 : TRUE COPY OF THE APPLICATION DATED 10.4.2011 SUBMITTED BY
THE PETITIONER TO THE 2ND RESPONDENT.
- EXT. P3 : TRUE COPY OF THE APPLICATION DATED 25.3.2012 SUBMITTED BY
THE PETITIONER TO THE 2ND RESPONDENT.
- EXT. P4 : TRUE COPY OF THE APPLICATION DATED 3.4.2013 SUBMITTED BY
THE PETITIONER TO THE 2ND RESPONDENT.
- EXT. P5 : TRUE COPY OF THE APPLICATION DATED 23.10.2014 SUBMITTED BY
THE PETITIONER TO THE 2ND RESPONDENT.
- EXT. P6 : TRUE COPY OF THE MEMO DATED 14.10.2014 ISSUED BY THE
2ND RESPONDENT TO THE PETITIONER.
- EXT. P7 : TRUE COPY OF THE DEMAND NOTICE NO.G1-1096/2015
DATED 7.10.2015.
- EXT. P8 : TRUE COPY OF THE LETTER NO.G3-2408/ATTINGAL/2015
DATED 10.8.2015 ISSUED TO THE PETITIONER UNDER THE RIGHT TO
INFORMATION ACT.

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

mbr/

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C).No.35874 of 2015

.....
Dated this the 26th day of November, 2015

J U D G M E N T

The petitioner, who is faced with revenue recovery steps for recovery of arrears of motor vehicle tax for the period 01.04.2011 to 31.12.2014 seeks only the grant of instalments to discharge the liability as per Exts.P6, P7 and P8 notices.

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

3. On a consideration of the facts and circumstances of the case and the submissions made across the bar and taking into account the plea of financial hardship raised by the petitioner, I dispose the writ petition with the following directions:

(i) If the petitioner pays the amounts demanded under Exts.P6, P7 and P8 notices in six equal and successive monthly instalments commencing from 20.12.2015, further proceedings against the petitioner shall be kept in abeyance.

(ii) It is made clear that, if the petitioner

commits a default in respect of any of the instalments, he will lose the benefit of this judgment and the respondents will be free to continue the recovery proceedings against him from the stage at which they presently stand.

A.K.JAYASANKARAN NAMBIAR
JUDGE

