

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. 36428 of 2015 (C)

PETITIONER :

**SIVADASAN P,
S/O. PANHAN, PUTHANPALLI
PURATHUR, CHENNARA P.O.,
MALAPPURAM DISTRICT.**

BY ADV. SRI.I.DINESH MENON

RESPONDENT(S) :

- 1. THE DEPUTY TRANSPORT COMMISSIONER
CENTRAL ZONE – II, THRISSUR – 680 001.**
- 2. THE REGIONAL TRANSPORT OFFICER
MALAPPURAM – 675 505.**

R1 & R2 BY GOVT. PLEADER SMT. K.T. LILLY

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

Mn

...2/-

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APPENDIX

PETITIONER'S EXHIBITS :

EXT.P1 : COPY OF THE DEMAND NOTIICE DATED 28.10.2015.

EXT.P2 COPY OF THE APPEAL AS WELL AS STAY PETITION PREFERRED BY
THE PETITIONER BEFORE THE FIRST RESPONDENT.

EXT.P3 COPY OF THE JUDGMENT IN WP(C) NO. 23740 OF 2013 DATED
30.9.2013.

RESPONDENT'S EXHIBITS : NIL

//TRUE COPY//

P.S. TO JUDGE

Mn

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C). No. 36428 of 2015

Dated this the 2nd day of December, 2015

JUDGMENT

Against Ext.P1 demand notice issued under the Kerala Motor Vehicle Taxation Act, the petitioner preferred Ext.P2 appeal and stay petition before the 1st respondent. The grievance of the petitioner in the writ petition is essentially that, even before considering the appeal, steps are taken for recovery of amounts confirmed by Ext.P1 demand notice.

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

3. On a consideration of the facts and circumstances of the case as also the submissions made across the bar, I dispose the writ petition with a direction to the 1st respondent to consider and pass orders on the stay petition filed by the petitioner before him, within a period of three weeks from the date of receipt of a copy of this judgment, after hearing the petitioner. Coercive steps for recovery of amounts confirmed against the petitioner by Ext.P1 demand notice, shall be kept in abeyance, till such time as orders

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

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE

das /2.12.15