

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

THURSDAY, THE 3RD DAY OF DECEMBER 2015/12TH AGRAHAYANA, 1937

WP(C).No. 36543 of 2015 (P)

PETITIONER(S):

**MARTIN, AGED 43 YEARS,
S/O.GARVASIS, OLAPPURACKAL HOUSE, VELLASSERY,
MUTTUCHIRA, KADUTHURUTHY VILLAGE, VAIKOM TALUK,
KOTTAYAM DISTRICT.**

BY ADV. SRI.K.SUNILKUMAR

RESPONDENT(S):

- 1. THE DISTRICT COLLECTOR,
COLLECTORATE, KOTTAYAM - 686 001.**
- 2. THE SPECIAL DEPUTY TAHSILDAR (R.R),
TALUK OFFICE, VAIKOM - 691 532.**

BY GOVERNMENT PLEADER SRI.R.RENJITH

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 03-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

WP(C).No. 36543 of 2015 (P)

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P-1: THE TRUE COPY OF THE DEMAND NOTICE DATED 12.10.2015 ISSUED
 BY THE 2ND RESPONDENT TO THE PETITIONER**
- EXT.P-2: THE TRUE COPY OF THE NOTICE NO.2015/1072/5/500 DATED
 12.10.2015 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER**
- EXT.P-3: THE TRUE COPY OF THE MEDICAL CERTIFICATE ISSUED TO THE
 PETITIONER BY THE ASSISTANT SURGEON, GENERAL HOSPITAL,
 PALA.**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C) No.36543 of 2015

Dated this the 3rd day of December 2015

JUDGMENT

The petitioner, who is faced with revenue recovery proceedings for recovery of KVAT arrears, seeks only a grant of instalments to discharge the liability.

2. I have heard the learned counsel for the petitioner and 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, I find that in Exts.P1 and P2 notices issued to the petitioner, there is a demand of Rs.10,45,634/- together with accrued interest and other charges, towards defaulted KVAT arrears. Accordingly, if the petitioner pays the aforesaid amount to the respondents, in ten equal and successive monthly installments, commencing from 10.01.2016, then the recovery steps initiated against him by the respondents shall be kept in abeyance.

4. It is made clear that if the petitioner commits a default in

respect of any of the installments, 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.

The writ petition is disposed as above.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE

sm/