

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

FRIDAY, THE 18TH DAY OF DECEMBER 2015/27TH AGRAHAYANA, 1937

WP(C).No. 38522 of 2015 (M)

PETITIONER(S) :

**GEORGE.K.C., AGED 42 YEARS,
S/O.CHEEKU, KAIMATHURUTHY HOUSE, H.NO.4/356,
PUTHENVELIKKARA, NORTH PARUR- 683 513,
ERNAKULAM DISTRICT.**

**BY ADVS.SRI.G.HARIHARAN
SRI.PRAVEEN.H.**

RESPONDENT(S) :

**THE JOINT REGIONAL TRANSPORT OFFICER,
NORTH PARUR, ERNAKULAM DISTRICT, PIN- 683 513.**

BY GOVERNMENT PLEADER SRI.R.RENJITH

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 18-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Msd.

WP(C).No. 38522 of 2015 (M)

APPENDIX

PETITIONER(S)' EXHIBITS :

**EXHIBIT P1: TRUE COPY OF THE REGISTRATION CERTIFICATE OF VEHICLE
NO.KL 42 B 3443.**

**EXHIBIT P2: TRUE COPY OF THE DEMAND NOTICE DATED 01.12.2015 ISSUED
IN THE NAME OF THE PETITIONER BY THE RESPONDENT.**

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

A.K.JAYASANKARAN NAMBIAR, J.
.....
W.P.(C).No.38522 of 2015
.....
Dated this the 18th day of December, 2015

J U D G M E N T

The petitioner, who is faced with Ext.P2 memo demanding motor vehicle tax arrears for the period from 01.10.2014 to 31.12.2015, seeks only the grant of instalment facility to discharge the liability due to the respondents.

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

3. On a consideration of the facts and circumstances of the case and the submissions made across the bar, I dispose the writ petition with the following directions:-

(i) If the petitioner pays the tax for the current quarter within two weeks from today, and the tax amount due for the period from 01.10.2014 to 30.09.2015 in six equal and successive monthly instalments commencing

from 05.01.2016, then further proceedings for recovery shall be kept in abeyance.

(ii) On the petitioner paying tax for the current quarter, the respondents shall conduct the necessary test for issuance of the certificate of fitness in respect of the vehicle and if the vehicle is found to satisfy the said test, then to issue the certificate of fitness in respect of the vehicle to the petitioner so as to enable him to conduct his service.

(iii) 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 them from the stage at which they presently stand.

A.K.JAYASANKARAN NAMBIAR
JUDGE