

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

MONDAY, THE 21ST DAY OF DECEMBER 2015/30TH AGRAHAYANA, 1937

WP(C).No. 38853 of 2015 (F)

PETITIONER(S):

**M/S.MEMANA AGENCIES,
NADAKKAVU ROAD, CHERTHALA,
REPRESENTED BY ITS PROPRIETOR,
D.P.RAMESH.**

**BY ADVS.SRI.K.SRIKUMAR (SR.)
SRI.K.MANOJ CHANDRAN
SRI.P.R.AJITHKUMAR**

RESPONDENT(S):

- 1. THE COMMERCIAL TAX OFFICER,
COMMERCIAL TAXES, CHERTHALA - 688 524.**
- 2. THE DEPUTY COMMISSIONER OF COMMERCIAL TAXES (APPEALS),
DEPARTMENT OF COMMERCIAL TAXES,
KOLLAM - 691 001.**

BY GOVERNMENT PLEADER SRI.R.RANJITH

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
21-12-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 38853 of 2015 (F)

APPENDIX

PETITIONER(S)' EXHIBITS:

EXT.P1: TRUE COPY OF THE ORDER OF ASSESSMENT DTD.31.10.2015.

EXT.P2: TRUE COPY OF THE APPEAL DTD.16.12.2015.

EXT.P3: TRUE COPY OF THE STAY PETITION DTD.16.12.2015.

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

MsV/

K.VINOD CHANDRAN, J

W.P.(C).No. 38853 of 2015

Dated this the 21st day of December, 2015

J U D G M E N T

Ext.P1 is the assessment order passed against the petitioner for the years 2012-13. Against this order, petitioner filed Ext.P2 appeal, which is accompanied by Ext.P3 stay petition before the 2nd respondent. The appeal and the stay petitions are pending before the 2nd respondent. In the meanwhile, it is alleged, coercive proceedings have been threatened. It is in this context, the writ petition has been filed.

2. In the above circumstances, it is directed that the appellate authority, the 2nd respondent herein, shall dispose of Ext.P3 stay application within a period of one month from today and the coercive proceedings be stayed until such orders are passed; which order shall determine the matter thereafter.

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3. Petitioner shall produce a copy of this judgment before the 2nd respondent for compliance.

Writ petition is disposed of. No costs.

Sd/-

K.VINOD CHANDRAN,
Judge

jma //true copy//

P.A to Judge