

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

TUESDAY, THE 22ND DAY OF DECEMBER 2015/1ST POUSHA, 1937

WP(C).No. 39173 of 2015 (V)

PETITIONER :

**P. MOIDEENKOYA
S/O. ANTHRUMANKUTTY
PULIYULLATHIL HOUSE
THURUTHIYAD, BALUSSERY.**

BY ADV. SRI.I.DINESH MENON

RESPONDENT(S) :

- 1. THE DEPUTY TRANSPORT COMMISSIONER,
KOZHIKODE – 695 001.**
- 2. THE REGIONAL TRANSPORT OFFICER
VADAKARA – 671 601.**

R1 & R2 BY GOVT. PLEADER SRI. R. RANJITH

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 22-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

...2/-

WP(C).No. 39173 of 2015 (V)

APPENDIX

PETITIONER'S EXHIBITS :

EXT.P1 : COPY OF THE DEMAND NOTICE DATED 16.6.2015.

**EXT.P2 COPY OF THE APPEAL PREFERRED BY THE PETITIONER BEFORE
THE FIRST RESPONDENT AGAINST EXHIBIT P1.**

EXT.P3 COPY OF THE STAY PETITION PREFERRED ALONG WITH EXHIBIT P2.

RESPONDENT'S EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

A.K.JAYASANKARAN NAMBIAR, J.
.....
W.P.(C).No.39173 of 2015
.....
Dated this the 22nd day of December, 2015

J U D G M E N T

Against Ext.P1 demand notice under the Kerala Motor Vehicle Taxation Act, the petitioner has preferred Ext.P2 appeal and Ext.P3 stay petition before the 1st respondent. It is the case of the petitioner that even prior to considering the stay petition, recovery steps are sought to be pursued for recovery of the amounts confirmed by Ext.P1 demand notice.

2. I have heard the learned counsel for the petitioner and also the learned Government Pleader 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 the following directions:

- i. The 1st respondent shall consider and pass orders on Ext.P2 appeal within a period of one month from the date of receipt of a copy of this judgment, after hearing the petitioner.

ii. Recovery steps for recovery of amounts confirmed against petitioner by Ext.P1 demand notice shall be kept in abeyance till orders are passed by the 1st respondent as directed above and communicated to the petitioner.

A.K.JAYASANKARAN NAMBIAR
JUDGE

W.P.(C). No.39173 of 2015