IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

WEDNESDAY, THE 09TH DAY OF DECEMBER 2020 / 18TH AGRAHAYANA, 1942

WP(C).No.24806 OF 2020(A)

PETITIONER/S:

1 WILSON. M.V
AGED 48 YEARS
NO.15/428, MANADAN HOUSE, ANNAMANADA, THRISSUR DISTRICT,REPRESENTED BY THE POWER OF ATTORNEY HOLDER,SRI. TOMY, S/O. JOSE, KANNAMPILLY HOUSE, KUMBIDY DESAM, CHALAKUDY TALUK, THRISSUR DISTRICT

2 VENUGOPAL.V.G.,
S/O. GOPALAN NAIR, SANTHI NIVAS, PALISSERY, ANNAMANADA P.O., CHALAKUDY TALUK, THRISSUR DISTRICT

BY ADV. SRI.O.D.SIVADAS

RESPONDENT/S:

1 THE REGIONAL TRANSPORT OFFICER
REGIONAL TRANSPORT OFFICE, CIVIL STATION, ERNAKULAM,PIN-682 030

2 THE REGISTERING AUTHORITY,
(JOINT REGIONAL TRANSPORT OFFICER), SUB REGIONAL TRANSPORT OFFICE, CHALAKUDY, THRISSUR DISTRICT,PIN-680 307

OTHER PRESENT:

GP DR.THUSHARA JAMES

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 09.12.2020, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

The 1st and 2nd petitioners have applied for a transfer of a vehicle from 1st petitioner to the 2nd petitioner. In the writ petition, it is the case of the petitioners that while there is a motor vehicle tax liability outstanding against the 1st petitioner, and the said petitioner has obtained a conditional order of stay against recovery on payment of certain amounts, and the said conditions have been complied with by the 1st petitioner, the application for transfer of the motor vehicle before the respondent is not being taken up on account of the pendency of the balance dues from the 1st petitioner.

In the writ petition, the 2nd petitioner undertakes to discharge the tax liability of the 1st petitioner in the event of this Court finding against the 1st petitioner in the pending writ petition. Taking note of the said submission of the learned counsel for the petitioners, I dispose the writ petition with the following direction:-

1) On the 2nd petitioner furnishing an undertaking before the 1st respondent to the effect that he will discharge the liability of the 1st petitioner in the event of the pending writ petition being decided against the 1st petitioner, the 1st respondent shall issue a clearance certificate that will enable the processing of the application for transfer presented before the 2nd respondent.

2) The application for the transfer of the vehicle shall thereafter be

processed within a period of two weeks from the date of the 2nd petitioner furnishing the undertaking as directed.

The writ petition is disposed as above.

Sd/-

A.K.JAYASANKARAN NAMBIAR

JUDGE

SJ

APPENDIX

PETITIONER'S/S EXHIBITS:

EXHIBIT P1	TRUE COPY OF THE REQUEST DATED 30.06.2020 SUBMITTED BY THE 1ST PETITIONER BEFORE THE 1ST RESPONDENT
EXHIBIT P2	TRUE COPY OF THE PROCEEDING DATED 08.07.2020 ISSUED BY THE 1ST RESPONDENT TO THE PETITIONER
EXHIBIT P3	TRUE COPY OF THE PROCEEDING DATED 24.08.2020 ISSUED TO THE 1ST PETITIONER
EXHIBIT P4	TRUE COPY OF THE INTERIM ORDER DATED 15.10.2020 ISSUED TO THIS HON'BLE COURT
EXHIBIT P5	TRUE COPY OF THE APPLICATIONS DATED 5.11.2020 SUBMITTED FOR TRANSFER OF OWNERSHIP OF THE VEHICLE FROM THE 1ST PETITIONER TO THE 2ND PETITIONER