

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.B.SURESH KUMAR

TUESDAY, THE 25TH DAY OF OCTOBER 2016/3RD KARTHIKA, 1938

WP(C) .No. 26488 of 2015 (I)  
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PETITIONER(S) :  
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VIJAYAKUMAR.R,  
CHITRALAYAM, FORT,  
NEYYATTINKARA, TRIVANDRUM.

BY ADV. SRI.P.DEEPAK

RESPONDENT(S) :  
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1. THE JOINT REGIONAL TRANSPORT OFFICER,  
ADOOR - 689 121.
2. THE KERALA STATE ELECTRICITY BOARD,  
REPRESENTED BY ITS EXECUTIVE ENGINEER,  
ACCOUNTS CLOSING UNIT, KOTTARAKKARA - 691 506.
3. THE DISTRICT COLLECTOR,  
KOLLAM - 691 001.

R1 & 3 BY GOVERNMENT PLEADER SMT.A.C.VIDYA  
R2 BY ADVS.SRI.JAICE JACOB, SC  
SMT.NAZEEDA.O.H., SC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON  
25-10-2016, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:

PJ

WP(C).No. 26488 of 2015 (I)  
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APPENDIX

PETITIONER(S) ' EXHIBITS  
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- P1 - TRUE COPY OF THE JUDGMENT DATED 17.07.2013 IN WPC NO.12170 OF 2008
- P2 - TRUE COPY OF THE NOTICE DATED 20.08.2013 OF THE 1ST RESPONDENT
- P3 - TRUE COPY OF THE REPLY DATED 27.08.2013
- P4 - TRUE COPY OF THE QUERY DATED 02.05.2015 ADDRESSED BY THE PETITIONER TO THE 1ST RESPONDENT.
- P5 - A TRUE COPY OF THE COMMUNICATION DATED 23.05.2015
- P6 - A TRUE COPY OF THE REPRESENTATION DATED 30.06.2015 FOR ISSUANCE OF CLEARANCE CERTIFICATE.
- P7 - A TRUE COPY OF THE REPLY DATED 08.07.2015

RESPONDENT(S) ' EXHIBITS  
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- R2 (A) TRUE COPY OF THE ORDER DATED 20/10/2003 RELEASING THE MATERIALS
- R2 (B) TRUE COPY OF THE DEED DATED 4/5/95
- R2 (C) TRUE COPY OF THE APPEAL DATED 11/11/14 (WITHOUT ANNEXURES)

/ TRUE COPY /

P.S. TO JUDGE

PJ

**P.B. SURESH KUMAR, J.**

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**W.P.(C) No.26488 of 2015**  
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**Dated this the 25<sup>th</sup> day of October, 2016**

**JUDGMENT**

The dispute in this writ petition pertains to the liability to pay tax under the Motor Vehicles Taxation Act, 1976 for the vehicle of the petitioner referred to in the writ petition for the period from 01.10.2002 to 25.10.2005. Pursuant to the direction issued by this Court in Ext.P1 judgment, the statutory authority found that the second respondent is liable to pay the disputed tax. Since the second respondent has not paid the disputed tax, by way of abundant caution, the petitioner submitted an application seeking permission to sell the vehicle. The grievance of the petitioner concerns the inaction on the part of the first respondent in granting permission sought

by the petitioner in Ext.P6 representation.

2. On 14.09.2015, this Court passed an interim order directing the second respondent to pay the disputed tax and directing the first respondent to issue the permission sought by the petitioner in Ext.P6 representation.

In the light of the interim order referred to above, it is seen that the grievance of the petitioner stands redressed. The writ petition, in the circumstances, is disposed of making the interim order absolute.

Sd/-

**P.B. SURESH KUMAR**  
**JUDGE**

bpr