



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

THURSDAY, THE 2ND DAY OF NOVEMBER 2023 / 11TH KARTHIKA, 1945

WP(C) NO. 34155 OF 2023

PETITIONER:

POULOSE
AGED 69 YEARS
S/O P.O MATHAI, PARATHUVAYALIL HOUSE, KEEZHILLAM P.O
ERNAKULUM DISTRICT, MANAGING PARTNER , MATHA METALS,
KURUPPAMPADY, PIN - 683 541.

BY ADV BINU PAUL

RESPONDENTS:

- 1 THE TRANSPORT COMMISSIONER
TRANSPORT TOWERS, VAZHUTHACAUD THIRUVANANTHAPURAM,
PIN - 695 014.
- 2 DISTRICT COLLECTOR,
CIVIL STATION, KAKKANAD , ERNAKULAM, PIN - 682 031.
- 3 DEPUTY TAHSILDAR,
OFFICE OF THE DEPUTY TAHSILDAR, KUNNATHUNADU TALUK,
PERUMBAVOOR, PIN - 683 542.
- 4 THE SUB REGIONAL TRANSPORT OFFICER,
REGIONAL TRANSPORT OFFICE PERUMBAVOOR,
PIN - 683 542.
- 5 THE SECRETARY,
REGIONAL TRANSPORT OFFICE MUVATTUPUZHA,
PIN - 686 673.
- 6 THE VILLAGE OFFICER
VILLAGE OFFICE RYAMANAGALAM, ERNAKULAM DISTRICT,
PIN - 683 542.



WP(C) NO. 34155 OF 2023

2

7 INSPECTOR OF POLICE,
KURUPPAMAPADY POLICE STATION KURUPPAMPDY, ERNAKULAM
DISTRICT, PIN - 683 542.

BY ADV ADVOCATE GENERAL OFFICE KERALA

OTHER PRESENT:

JASMINE M.M, G.P.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
02.11.2023, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:



WP(C) NO. 34155 OF 2023

3

DINESH KUMAR SINGH, J.

WP(C) NO. 34155 OF 2023

Dated this the 2nd day of November, 2023

J U D G M E N T

1. The present writ petition has been filed for the following reliefs:-

“(i) Issue a writ of certiorari or any other appropriate writ or order quashing Ext.P4 notice.

(ii) Issue a writ of mandamus or any other appropriate writ or order directing the respondents No.4 and 5 that road tax due in respect of vehicle tipper lorry bearing Registration No.KL-40C-7605 may be adjudicated and decided after affording the petitioner an opportunity of being heard.



WP(C) NO. 34155 OF 2023

4

(iii) to dispense with the filing of English translation of vernacular documents.

and

(iv) any other writ, order or direction as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and to allow this petition."

2. Learned counsel for the petitioner submits that the petitioner would approach the competent authority for one time settlement of tax due on tipper lorry bearing registration No.KL-40-C-7605.

3. Considering the said prayer, the present writ petition is disposed of with liberty to the petitioner to file an application within a period of seven days from today to the concerned competent authority for one time settlement of tax due on the



WP(C) NO. 34155 OF 2023

5

said vehicle. If such an application is filed, the competent authority should take decision on the said application for one time settlement of tax liability of the petitioner. For a period of one month, the impugned recovery notice Ext.P4 shall not be enforced.

4. With the aforesaid directions, the present writ petition is disposed of.

**Sd/-
DINESH KUMAR SINGH
JUDGE**

rpr



WP(C) NO. 34155 OF 2023

APPENDIX OF WP(C) 34155/2023

PETITIONER'S EXHIBITS

Exhibit P1	THE TRUE COPY OF THE FIR NO.2054 OF 2017 DATED 28.10. 2017 OF THE KURUPPAMAPADY POLICE STATION; ERNAKULAM DISTRICT.
Exhibit P1(a)	THE ENGLISH TRANSLATION OF THE RELEVANT PAGE- LAST PAGE OF THE EXT- P1.
Exhibit P2	THE TRUE COPY OF THE COMMUNICATION DATED 13.03.2020 ISSUED FROM THE KURUPPAMAPADY POLICE STATION TO THE REGIONAL TRANSPORT AUTHORITY, PERUMBAVOOR.
Exhibit p2(a)	THE ENGLISH TRANSLATION OF EXT P2.
Exhibit P3	THE TRUE COPY OF THE ORDER IN C.C NO. 139 OF 2019 DATED 29.07.2022 OF THE JUDICIAL FIRST CLASS MAGISTRATE COURT-III, PERUMBAVOOR.
Exhibit P4	THE TRUE COPY OF THE REVENUE RECOVERY NOTICE DATED 03.07.2023 ISSUED BY THE 3RD RESPONDENT TO THE PETITIONER.
Exhibit P4(a)	THE ENGLISH TRANSLATION OF EXT P4.
Exhibit P5	THE TRUE COPY OF THE REPRESENTATION DATED 10.09.2023 SUBMITTED TO THE 4TH RESPONDENT.
Exhibit P5(a)	THE ENGLISH TRANSLATION OF EXT P5.
Exhibit P6	THE TRUE COPY OF THE JUDGEMENT OF THIS HONBLE COURT IN W.P (C) NO.17165 OF 2013 DATED 10.07.2013.