



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

MONDAY, THE 20TH DAY OF NOVEMBER 2023 / 29TH KARTHIKA, 1945

WP(C) NO. 34376 OF 2023

PETITIONER/S:

SARATH G
AGED 35 YEARS
S/O RAJU, POKKALAYIL, ROAD MUKKU, ARYAD NORTH.P.O.,
MANNANCHERRY, ALAPPUZHA, PIN - 688538

BY ADV ARAVIND GHOSH

RESPONDENT/S:

- 1 TRANSPORT COMMISSIONER
MOTOR VEHICLES DEPARTMENT, TRANS TOWERS,
VAZHUTHACAUD, THIRUVANANTHAPURAM, PIN - 695014
- 2 REGIONAL TRANSPORT OFFICER, REGIONAL TRANSPORT OFFICE,
CIVIL STATION, ALAPPUZHA, PIN - 688001
- 3 IKF FINANCE LIMITED
CORPORATE CENTRE, 3RD FLOOR, M.G.ROAD, VIJAYAWADA, ANDRA
PRADESH REPRESENTED BY ITS MANAGER, PIN - 520010

OTHER PRESENT:

JOBY JOSEPH-GP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
20.11.2023, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:



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J U D G M E N T

The present writ petition under Article 226 of the Constitution of India has been filed seeking the following reliefs:

- “i) Directing the respondents 1 and 2 to renew the permit of the vehicle of the petitioner bearing Reg. No.KL-04AD 4210 after accepting tax and application fees without insisting for NOC of the from the Financier
- ii) Such other reliefs as this Hon'ble Court deems fit and proper for the just disposal of this writ petition.”

2. Learned Government Pleader submits that the petitioner's request (Ext.P3) for renewal of the permit for transport vehicles bearing registration no.KL-04-AD-4210 shall be considered in accordance with the law. The petitioner is not only in arrears of tax but also in arrears of repayment of finance on the vehicle which he obtained from the 3rd respondent.



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3. Let a proper decision be taken on the prayer of the petitioner within a period of four weeks from the date of submission of the judgment passed in the writ petition. With the aforesaid direction, the writ petition stands finally disposed of.

Sd/-

DINESH KUMAR SINGH

JUDGE

jjj



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APPENDIX OF WP(C) 34376/2023

PETITIONER EXHIBITS

Exhibit-P1	TRUE COPY OF REGISTRATION CERTIFICATE OF VEHICLE BEARING REG. NO.KL-04 AD 4210
Exhibit-P2	TRUE COPY OF SEARCH STATUS OF VEHICLE BEARING REG. NO.KL-04 AD 4210 IN MPARIVAHAN SITE
Exhibit-P3	THE TRUE COPY OF THE APPLICATION SEEKING PERMISSION TO APPLY FOR RENEWAL OF PERMIT WITHOUT NOC FROM FINANCIER DATED 23/09/2023 SENT THROUGH REGISTERED POST TO THE 2ND RESPONDENT ON 4/10/2023
Exhibit-P4	THE TRUE COPY OF THE POSTAL RECEIPT FOR THE ISSUANCE OF EXT.P3 TO THE 2ND RESPONDENT DATED 4/10/2023
Exhibit-P5	TRUE COPY OF THE JUDGMENT OF THIS HONOURABLE COURT IN WP(C) NO.13176 OF 2022 DATED 6/07/2022
Exhibit-P6	THE TRUE COPY OF THE TRACK CONSIGNMENT OF THE POSTAL ARTICLE TO THE 3RD RESPONDENT SHOWING THE DATE OF CONSIGNMENT OF REGISTERED NOTICE AND THE DELIVERY CONFIRMED TO THE 3RD RESPONDENT WITH NO.RL756921361IN DATED 14/11/2023
Exhibit-P7	THE TRUE COPY OF THE APPLICATION DATED 3/11/2023 SUBMITTED THROUGH REGISTERED POST TO THE 3RD RESPONDENT FOR GETTING NOC
Exhibit -P8	THE TRUE COPY OF THE POSTAL RECEIPT FOR THE ISSUANCE OF APPLICATION TO THE 3RD RESPONDENT DATED 3/11/2023
Exhibit-P9	THE TRUE COPY OF THE TRACK CONSIGNMENT OF THE POSTAL ARTICLE TO THE 3RD RESPONDENT SHOWING THE DATE OF CONSIGNMENT OF REGISTERED NOTICE AND THE DELIVERY CONFIRMED TO THE 3RD RESPONDENT WITH NO.RL800219495IN DATED 14/11/2023