

**(2021) 01 KL CK 0200**

**In the High Court Of Kerala**

**Case No : Writ Petition (C) No. 27109 Of 2020**

Mohammed Hasker K.T

APPELLANT

Vs

State Of Kerala And Ors

RESPONDENT

---

**Date of Decision : 06-01-2021**

**Acts Referred:**

**Citation : (2021) 01 KL CK 0200**

**Hon'ble Judges : Devan Ramachandran, J**

**Bench : Single Bench**

**Advocate : S. Sujeth, M.R. Reena, Thushara James**

---

## **Judgement**

1. Even though various allegations and averments have been made in this writ petition, the primary prayer made by the petitioner is that his statutory appeal, namely Ext.P3 preferred before the 5th respondent Deputy Transport Commissioner, Thrissur - under the provisions of the Kerala Motor Vehicles Taxation Act, 1976 - be directed to be taken up and disposed of within a time frame and that steps to recovery of the demands made against him be deferred until then.

2. In response to the submissions of Smt.M.R.Reena, learned counsel for the petitioner, the learned Government Pleader, Smt.Thushara James, submitted that there is no legal impediment in Ext.P3 appeal being taken up and disposed of within a time frame; but prayed that this Court may not make any affirmative declarations in favour of the petitioner and leave it to the competent Authority to issue an appropriate order thereon, as per law.

Taking note of the afore submissions, I order this writ petition and direct the 5th respondent to take up Ext.P3 statutory appeal and dispose it of, after affording an opportunity of being heard to the petitioner either physically or through videoconferencing - culminating in an appropriate order thereon, as expeditiously as is possible but not later than one month from the date of receipt of a copy of this judgment.

Needless to say, until such time as the afore exercise is completed and the resultant order communicated to the petitioner, all further action to enforce the demand against him will stand deferred and proceedings thereon will only be continued thereafter, depending upon the decision to be taken by the 5th respondent.

This writ petition is thus ordered.