



2025:KER:12925

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE MURALI PURUSHOTHAMAN

MONDAY, THE 10TH DAY OF FEBRUARY 2025 / 21ST MAGHA, 1946

WP(C) NO. 3227 OF 2025

PETITIONER:

SATHYAN.K.M
AGED 58 YEARS
S/O. MADHAVAN, KALLIYATH HOUSE, PO PERINCHERY, AVANISSERI,
THRISSUR, PIN – 680 306.

BY ADV O.D. SIVADAS

RESPONDENTS:

- 1 THE EXECUTIVE OFFICER
KERALA MOTOR TRANSPORT WORKERS' WELFARE FUND BOARD, 1ST
FLOOR, DOOR NO:36/1662, HIGH ROAD, THRISSUR, PIN – 680 001.
- 2 THE JOINT REGIONAL TRANSPORT OFFICER
(TAXATION OFFICER) SUB REGIONAL TRANSPORT OFFICE, MINI CIVIL
STATION, THIRIPRAYAR THRISSUR DISTRICT, PIN – 680 567.

BY ADVS.

P. RAMAKRISHNAN, STANDING COUNSEL
ANIMA, GOVERNMENT PLEADER.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 28.01.2025,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:



JUDGMENT

The petitioner is a stage carriage operator covered with regular permits. He contends that he was paying the contributions towards the Kerala Motor Transport Workers Welfare Fund promptly through the link provided by the 1st respondent. However, due to some technical failure in the online site of the Kerala Motor Transport Workers Welfare Fund Board, he could not remit the contributions up to 31.12.2024. It is submitted that the technical defects have now been rectified and the petitioner has been directed to pay the arrears in lump sum for issuance of clearance certificate for the purpose of payment of tax. The petitioner submits that he is not in a position to make lump sum payment and



that the arrears occurred not due to his fault.

2. The learned counsel for the Board submits that the petitioner can be permitted to pay the entire dues in six installments.

3. The learned counsel for the petitioner submits that if there were no defects in the online site of the Board, the petitioner would have paid the contributions within time and that the petitioner may be permitted to pay the amount in 15 installments. The petitioner also relies on the judgment of this Court dated 28.01.2025 in W.P.(C) No.2594 of 2025.

4. Since it is not disputed that the arrears occurred not due to the fault of the petitioner, there will be a direction to the petitioner to pay the entire dues towards



the Kerala Motor Transport Workers Welfare Fund in 15 equal monthly installments commencing from 24.02.2025.

On payment of the first installment, the petitioner shall be issued with clearance certificate by the Board.

In case the petitioner fails to pay any of the instalments as aforesaid, it will be open to the Board to proceed against him or the vehicle, in accordance with law.

The writ petition is disposed of accordingly.

Sd/-

MURALI PURUSHOTHAMAN

JUDGE



APPENDIX OF WP(C) 3227/2025

PETITIONER'S EXHIBITS

EXHIBIT P1

**THE TRUE COPY OF THE RELEVANT PORTION OF THE
RC BOOK IN RESPECT OF PETITIONER'S STAGE
CARRIAGE NO.KL 58 K 2221.**