

IN THE HIGH COURT OF KERALA AT ERNAKULAM

Present:

THE HONOURABLE MR. JUSTICE A.M.BADAR

Tuesday, the 2nd day of March 2021/11th Phalguna, 1942WP(C) No.5467/2021(G)PETITIONERS

1.IMAM SALIH,AGED 54 YEARS,S/O. ABUBAKKAR, DIWANIYA PLAZA, SN JUNCTION, PALARIVATTOM, COCHIN-682025.

2.BIJU MATHEW,AGED 49 YEARS,S/O. K.P. MATHEW, KODAI TOWER, DEVANKULANGARA, EDAPPALLY, COCHIN-682024.

3.ASHA MATHEW,AGED 42 YEARS,D/O. V.A. PHILIP, KODAI TOWER, DEVANKULANGARA, EDAPPALLY, COCHIN-682024.

4.C.T. GEORGE,AGED 76 YEARS,S/O. THOMAS MYLAADY, MYLAADY HOUSE, PTRRA 110, CHEMBUMUKKU, THRIKKAKARA P.O., KOCHI-682021.

5.MYLAADY WAREHOUSING PVT. LIMITED,38/197, MYLAADY HOUSE, VENNALA P.O., ERNAKULAM, COCHIN-682028, REPRESENTED BY ITS MANAGING DIRECTOR MARYKUTTY BABY.

6.SATHI,AGED 74 YEARS,D/O. RAMANKUTTY NAIR, AYODHYA, KANNAYATH ROAD, MAMANGALAM, KOCHI-682025.

7.GOPALAKRISHNAN,AGED 75 YEARS,S/O. ARMUGHAN PILLAI, AYODHYA, KANNAYATH ROAD, MAMANGALAM, KOCHI-682025.

RESPONDENTS

1.STATE OF KERALA,REPRESENTED BY THE SECRETARY, DEPARTMENT OF LOCAL SELF GOVERNMENT DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695001.

2.CORPORATION OF KOCHI,REPRESENTED BY ITS SECRETARY, OFFICE OF KOCHI CORPORATION, KOCHI-682019.

Writ Petition (civil) praying inter alia that in the circumstances stated in the affidavit filed along with the WP(C) the High Court be pleased to stay collection of property tax as per Exhibit P6 to P11(a) notices, pending disposal of the above

Writ Petition (Civil).

This petition coming on for admission upon perusing the petition and the affidavit filed in support of WP(C) and upon hearing the arguments of M/S A.BALAGOPALAN, P.SEENA, M.N.MANMADAN, M.S.IMTHIYAZ AHAMMED, Advocates for the petitioners, GOVERNMENT PLEADER for R1 (B/o) and of STANDING COUNSEL for R2(B/o), the court passed the following

ORDER

Heard the learned counsel for the petitioners. Notice before admission to the respondents. Learned Government Pleader takes notice for the 1st respondent. Learned Standing Counsel takes notice for the 2nd respondent. Post along with WP(C) No.2169/2020 in due course. Pending disposal of this Writ Petition if the petitioner submits returns and pay taxes at the pre-revised rates, the 2nd respondent shall renew the licence/permission subject to all other statutory conditions.

02-03-2021

Sd/-

A.M.BADAR,JUDGE

/true copy/

Sd/-

ASSISTANT REGISTRAR

EXHIBIT P6 - TRUE COPIES OF THE DEMAND NOTICES DATED 25/02/2020 ISSUED TO THE 1ST PETITIONER IMAM SALIH FOR HIS BUILDING NO.40/965.

EXHIBIT P6(A) - TRUE COPIES OF THE DEMAND NOTICES DATED 25/02/2020 ISSUED TO THE 1ST PETITIONER IMAM SALIH FOR HIS BUILDING NO.40/966.

EXHIBIT P7 - TRUE COPY OF THE DEMAND NOTICES DATED 24/07/2019 ISSUED TO THE 2ND AND 3RD PETITIONERS BIJU MATHEW AND ASHA BIJU FOR THEIR BUILDING NO.50/1339 A IN WARD NO. 37/2949.

EXHIBIT P7(A) - TRUE COPY OF THE DEMAND NOTICES DATED 24/07/2019 ISSUED TO THE 2ND AND 3RD PETITIONERS BIJU MATHEW AND ASHA BIJU FOR THEIR BUILDING NO.50/1339 B IN WARD NO. 37/2950.

EXHIBIT P7(B) - TRUE COPY OF THE DEMAND NOTICES DATED 24/07/2019 ISSUED TO THE 2ND AND 3RD PETITIONERS BIJU MATHEW AND ASHA BIJU FOR THEIR BUILDING NO.50/1339 C IN WARD NO. 37/2951.

EXHIBIT P7(C) - TRUE COPY OF THE DEMAND NOTICES DATED 24/07/2019 ISSUED TO THE 2ND AND 3RD PETITIONERS BIJU MATHEW AND ASHA BIJU

FOR THEIR BUILDING NO.50/1339 D IN WARD NO. 37/2952.

EXHIBIT P7(D) - TRUE COPY OF THE DEMAND NOTICES DATED 24/07/2019 ISSUED TO THE 2ND AND 3RD PETITIONERS BIJU MATHEW AND ASHA BIJU FOR THEIR BUILDING NO.50/1339 E IN WARD NO. 37/2953.

EXHIBIT P7(E) - TRUE COPY OF THE DEMAND NOTICES DATED 24/07/2019 ISSUED TO THE 2ND AND 3RD PETITIONERS BIJU MATHEW AND ASHA BIJU FOR THEIR BUILDING NO.50/1339 F IN WARD NO. 37/2954.

EXHIBIT P7(F) - TRUE COPY OF THE DEMAND NOTICES DATED 24/07/2019 ISSUED TO THE 2ND AND 3RD PETITIONERS BIJU MATHEW AND ASHA BIJU FOR THEIR BUILDING NO.50/1339 G IN WARD NO. 37/2955.

EXHIBIT P8 - TRUE COPIES OF THE DEMAND NOTICES DATED 16/03/2020 ISSUED TO THE 4TH PETITIONER C.T.GEORGE FOR HIS BUILDING NO.39/2330.

EXHIBIT P8(A) - TRUE COPIES OF THE DEMAND NOTICES DATED 16/03/2020 ISSUED TO THE 4TH PETITIONER C.T.GEORGE FOR HIS BUILDING NO.39/2331.

EXHIBIT P8(B) - TRUE COPIES OF THE DEMAND NOTICES DATED 16/03/2020 ISSUED TO THE 4TH PETITIONER C.T.GEORGE FOR HIS BUILDING NO.39/2332.

EXHIBIT P9 - TRUE COPIES OF THE DEMAND NOTICES ISSUED TO THE 5TH PETITIONER MYLAADY WAREHOUSING PVT. LTD. ON 24/01/2020 FOR THEIR BUILDING NO. 72/2552.

EXHIBIT P9(A) - TRUE COPIES OF THE DEMAND NOTICES ISSUED TO THE 5TH PETITIONER MYLAADY WAREHOUSING PVT. LTD. ON 24/01/2020 FOR THEIR BUILDING NO. 72/2553.

EXHIBIT P9(B) - TRUE COPIES OF THE DEMAND NOTICES ISSUED TO THE 5TH PETITIONER MYLAADY WAREHOUSING PVT. LTD. ON 24/01/2020 FOR THEIR BUILDING NO. 72/2554.

EXHIBIT P9(C) - TRUE COPIES OF THE DEMAND NOTICES ISSUED TO THE 5TH PETITIONER MYLAADY WAREHOUSING PVT. LTD. ON 20/10/2020 FOR THEIR BUILDING NO. 72/2555.

EXHIBIT P9(D) - TRUE COPIES OF THE DEMAND NOTICES ISSUED TO THE 5TH PETITIONER MYLAADY WAREHOUSING PVT. LTD. ON 20/10/2020 FOR THEIR BUILDING NO. 72/2556.

EXHIBIT P9(E) - TRUE COPIES OF THE DEMAND NOTICES ISSUED TO THE 5TH PETITIONER MYLAADY WAREHOUSING PVT. LTD. ON 20/10/2020 FOR THEIR BUILDING NO. 72/2557.

EXHIBIT P9(F) - TRUE COPIES OF THE DEMAND NOTICES ISSUED TO THE 5TH PETITIONER MYLAADY WAREHOUSING PVT. LTD. ON 20/10/2020 FOR THEIR BUILDING NO. 72/2558.

EXHIBIT P10 - TRUE COPIES OF THE DEMAND NOTICES ISSUED TO THE 6TH PETITIONER SATHY ON 03/06/2019 FOR HER BUILDING NO.40/1097.

EXHIBIT P10(A) - TRUE COPIES OF THE DEMAND NOTICES ISSUED TO THE 6TH PETITIONER SATHY ON 03/06/2019 FOR HER BUILDING NO.40/1102..

EXHIBIT P10(B) - TRUE COPIES OF THE DEMAND NOTICES ISSUED TO THE 6TH PETITIONER SATHY ON 03/06/2019 FOR HER BUILDING NO.40/1103.

EXHIBIT P10(C) - TRUE COPIES OF THE DEMAND NOTICES ISSUED TO THE 6TH PETITIONER SATHY ON 03/06/2019 FOR HER BUILDING NO.40/1104.

EXHIBIT P10(D) - TRUE COPIES OF THE DEMAND NOTICES ISSUED TO THE 6TH PETITIONER SATHY ON 03/06/2019 FOR HER BUILDING NO.40/1105.

EXHIBIT P10(E) - TRUE COPIES OF THE DEMAND NOTICES ISSUED TO THE 6TH PETITIONER SATHY ON 22/01/2020 FOR HER BUILDING NO.40/1098.

EXHIBIT P10(F) - TRUE COPIES OF THE DEMAND NOTICES ISSUED TO THE 6TH PETITIONER SATHY ON 22/01/2020 FOR HER BUILDING NO.40/1099.

EXHIBIT P10(G) - TRUE COPIES OF THE DEMAND NOTICES ISSUED TO THE 6TH PETITIONER SATHY ON 22/01/2020 FOR HER BUILDING NO.40/1100.

EXHIBIT P10(H) - TRUE COPIES OF THE DEMAND NOTICES ISSUED TO THE 6TH PETITIONER SATHY ON 22/01/2020 FOR HER BUILDING NO.40/1101.

EXHIBIT P11 - TRUE COPIES OF THE DEMAND NOTICES DATED 21/01/2020 ISSUED TO THE 7TH PETITIONER GOPALAKRISHNAN FOR HIS BUILDING NO.40/1106.

EXHIBIT P11(A) - TRUE COPIES OF THE DEMAND NOTICES DATED 22/01/2020 ISSUED TO THE 7TH PETITIONER GOPALAKRISHNAN FOR HIS BUILDING NO.40/1107.