

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT

THE HONOURABLE MR. JUSTICE T.R.RAVI

Friday, the 17th day of March 2023 / 26th Phalgun, 1944

WP(C) NO. 8590 OF 2023

PETITIONER:

1. KOTTAYAM MERCHANTS ASSOCIATION AGED 77 YEARS REG. NO. K.59/1960,
ASSOCIATION
BUILDING, M.L ROAD, KOTTAYAM
REPRESENTED BY PRESIDENT
KHADAR, AGED 77, S/O.ABOOBACKER
MAHE HOUSE, MANIKKUNNAM, VELOOR KOTTAYAM-3, PIN - 686001
2. JAIMY JOSEPH AGED 61 YEARS S/O. JOSEPH, KONDODICKAL HOUSE
MUTTAMBALAM P.O,
KOTTAYAM -686004., PIN - 686004
3. BAIJU.S AGED 62 YEARS S/O. V.K SUKUMARAN,
OOTHYIL HOUSE
THIRUVATHUKKAL, KOTTAYAM - 686003., PIN - 686003
4. NOUSHAD AGED 52 YEARS S/O. IBRAHIM, FAJR,
THAZHATHANGADI
KOTTAYAM - 686005., PIN - 686005
5. THOMAS.A.A AGED 63 YEARS S/O. ABRAHAM
ARACKKAL HOUSE, OLESSA P.O,
KOTTAYAM - 686014., PIN - 686014
6. SANTHOSH.P MANI AGED 56 YEARS S/O.LATE MANI, NADUVATH HOUSE,
PUTHUPALLY.P.O, KOTTAYAM TALUK - 686011., PIN - 686011
7. DOMINIC.V.G AGED 45 YEARS S/O. P.N GEORGE, VALUPARAMBIL HOUSE,
PUTHENANGADY,
KOTTAYAM - 686001., PIN - 686001

RESPONDENT:

1. STATE OF KERALAREPRESENTED BY
PRINCIPAL SECRETARY TO LOCAL
ADMINISTRATION DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695001., PIN - 695001
2. KOTTAYAM MUNICIPALITYMUNICIPAL OFFICE BUILDING,
YMCA ROAD, KOTTAYAM - 686001
REPRESENTED BY SECRETARY,
KOTTAYAM DISTRICT., PIN - 686001
3. SECRETARYKOTTAYAM MUNICIPALITY,
MUNICIPAL OFFICE BUILDING,
YMCA ROAD, KOTTAYAM - 686001,
KOTTAYAM DISTRICT., PIN - 686001
4. CHAIRMANKOTTAYAM MUNICIPALITY,
MUNICIPAL OFFICE BUILDING,
YMCA ROAD, KOTTAYAM,
KOTTAYAM DISTRICT - 686001., PIN - 686001

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 direct the 2nd respondent municipality that they shall not decline to issue trade licences to the petitioners and members of the 1st petitioner association and also decline to render other services to them for the reason that the revised property tax for the buildings are not paid.

This petition coming on for orders upon perusing the petition and the affidavit filed in support of WP(C) and upon hearing the arguments of V.RAJENDRAN (PERUMBAVOOR), N.RAJESH, GOPAKUMAR P. Advocates for the petitioners the court passed the following:



ORDER

Admit. Government Pleader takes notice for the 1st respondent. Standing Counsel takes notice for respondents 2 to 4. Respondents to place on record their counter affidavit/statement. There will be an interim stay until further orders on condition that the petitioners continue to pay property tax at the revised rate for future years. The payment will be subject to the result of this writ petition. Post on 22.03.2023.

Sd/- **T.R.RAVI** JUDGE

