

IN THE HIGH COURT OF KERALA AT ERNAKULAM
Present :

THE HON'BLE MR.JUSTICE C.K.ABDUL REHIM

Thursday the 16th day of June 2011/26TH JYAISHTA 1933

WP(C).No.14045/2011 (E)

PETITIONERS/

1. KERALA CLASSIFIED HOTELS AND RESORTS ASSOCIATION
(REGN NO:T 1832/2009)T.C.NO.25/3592(2) NEERAZHI LANE,
PULIMOODU GPO, THIRUVANANTHAPURAM-6950024
REP.BY ITS SERY-V.KRISHNAKUMAR & PRESI.G.SUBODHAN
2. M/S.R.C.PARK,OPPOSITE TOWN HALL KUNNAMKULAM,
THRISSUR DIST-680503, REP.BY ITS MANAGING PARTNER
K.K.RADHAKIRSHNAN
3. M/S.K.K.RESIDENCY (A UNIT OF K.K.BUILDERS)
OPPOSITE BUS STAND, PAYYANNUR, KANNUR DIST-670307
REP.BY ITS MANAGING PARTNER K.K.MOHANDAS
4. WATER WORLD TOURISM COMPANY(P)LTD, MUNICIPAL SHOPPING CENTRE,
OPP BOAT JETTY, ALAPPUZHA-688013,
REP.BY ITS DIRECTOR MAHTEW JOSEPH
5. PEARL VIEW HOTELS PVT LTD, NENUS COMPLEX KODUVALLY,
PEARL VIEW JUNCTION, THALASSERRY-670101,
REP.BY ITS MANAGING DIRECTOR, A.M.RAVEENDRAN

RESPONDENTS/

1. UNION OF INDIA, REP.BY THE SECRETARY TO THE GOVERNMENT OF INDIA,
FINANCE DEPARTMENT, NEW DELHI-110001
2. CENTRAL BOARD OF EXCISE AND CUSTOMS, DEPARTMENT OF REVENUE,
MINISTRY OF FINANCE, GOVERNMENT OF INDIA, NEW DELHI-110001
3. CHIEF COMMISSIONER OF CENTRAL EXCISE, CUSTOMS & SERVICE TAX
KERALA ZONE, C.R.BUILDING I.S.PRESS ROAD, COCHIN-682018
4. STATE OF KERALA, REP.BY CHIEF SECRETARY, THIRUVANANTHAPURAM

Writ Petition praying inter alia that in the circumstances stated in the affidavit filed along with the WP(C) the High Court be pleased to stay the operation of amendment made by the Finance Act, 2011 to the Chapter V of the Finance Act,1994 inserting sub clause (ZZZZV) & (ZZZZW) to clause 105 of section 65 of the Finance Act, 1994 and section 66 of the Finance Act, 1994(as amended) and related provisions seeking to levy service tax on taxable services referred to in sub-clause(ZZZZV) & (ZZZZW) to clause 105 of section 65 of the Finance Act, 1994 (as amended); till the final disposal of the Writ petition and render justice.

This petition coming on for orders upon perusing the petition and the affidavit filed in support of the WP(C) and upon hearing the arguments of SRI.S.ARUN RAJ, Advocate for the Petitioner and Sri.P.Parameswaran Nair, Assistant Solicitor General for R-1 and of Sri.Tojan J.Vathikulam, Advocate for R-2 & R-3, the court passed the following:-

p.t.o.

O R D E R

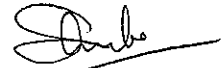
Admit. Issue urgent notice to respondents by speed post.

There will be an interim stay against any coercive steps of recovery of service tax or against any proceedings for imposing penalty for a period of two months.

16/06/2011

Sd/-C.K.ABDUL REHIM, JUDGE

/true copy/



ASSISTANT REGISTRAR

