

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2016

CORAM

THE Hon'ble Mr.JUSTICE M. DURAISWAMY

W.P.No.8780 of 2016
W.M.P.Nos.7793 and 7794 of 2016

C. Ravindran

.... Petitioner

vs

The Regional Transport Officer,
Hosur,
Krishnagiri District

..... Respondent

Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Certiorari to call for the records of the respondent made in Na.Ka.No.7809/A4/2016 dated Nil/2/2016 demanding difference of Motor Vehicles Tax with penalty for the petitioner's Tourist Vehicle OD-21/A-1697 for the period from 03.10.2013 to 01.02.2016 (Tax - Rs.5,13,000/- + 100% penalty Rs.5,13,000/- totalling Rs.10,26,000/- and to quash the same.

For petitioner : Mr.K. Hariharan
For respondent : Mr.M.S. Ramesh
AGP

ORDER

The petitioner has filed the above writ petition to issue a Writ of Certiorari to call for the records of the respondent made in Na.Ka.No.7809/A4/2016 dated Nil/2/2016 demanding difference of Motor Vehicles Tax with penalty for the petitioner's Tourist Vehicle OD-21/A-1697 for the period from 03.10.2013 to 01.02.2016 (Tax - Rs.5,13,000/- + 100% penalty Rs.5,13,000/- totalling Rs.10,26,000/- and to quash the same.

2. It is the case of the petitioner that even without show cause notice to the petitioner, the respondent had seized the vehicle and passed the impugned order.

3. Mr.M.S. Ramesh, learned Additional Government Pleader, appearing for the respondent, submitted that since the impugned order has been passed without issuing notice to the respondent, the same may be set aside and liberty may be given to the

respondent for issuing show cause notice and that the respondent would pass the orders within a week from the date of receipt of the reply from the petitioner.

4. In these circumstances, the impugned order passed by the respondent on 12.02.2016 is set aside and the respondent is directed to issue show cause notice to the petitioner within three days from the date of receipt of copy of this order and on receipt of the reply from the petitioner, the respondent is directed to pass final orders within three days from the date of receipt of the reply from the petitioner. It is open to the respondent to consider the petitioner's request for release of the vehicle, while passing the orders in the matter. With this observation, the writ petition is disposed of. No costs. Consequently, connected Mps are closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

sr

To

The Regional Transport Officer,
Hosur,
Krishnagiri District

+ 1 cc to Mr.K. Hariharan, Advocate sR.16433

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