

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN
AND
THE HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

Writ Petition No.8074 of 2010

Order: (Per the Hon'ble The Acting Chief Justice Ramesh Ranganathan)

The action of the respondent, in insisting on the petitioner to pay life tax on their vehicle i.e, "proclaine" is questioned in this writ petition. An interim order was passed in W.P.M.P. No. 10389 of 2010 dated 15.4.2010, directing the respondent to grant permanent registration on condition that the petitioner deposits 50% of the life tax and furnishes an undertaking that he would not alienate the vehicle or create any third party rights.

The power of the Government to impose life tax was upheld by a Division Bench of this Court in **Khader Basha and others vs. Regional Transport Officer, Chittoor and others** (judgment in W.P. No. 173 of 2010 and batch, dated 28.9.2011), and in terms thereof the petitioner is liable to pay life tax on the subject vehicle. While Sri B. Chandrasekhar, learned counsel for the petitioner, would submit that, subsequent to the aforesaid judgment of the Division Bench, the petitioner had paid the balance 50% life tax also, learned Government Pleader for Transport (Telangana) expresses ignorance.

We consider it appropriate, therefore, to dispose of the Writ Petition holding that the petitioner is liable to pay life tax on the subject vehicle. The respondent shall ascertain whether the petitioner has paid the balance 50% of the life tax, after the Division Bench judgment in W.P No. 173 of 2010 and batch dated 28.9.2011. In case the petitioner has paid the life tax in its entirety, no further action need be taken against him. If, however, he has

not paid the balance 50% of the life tax, it is open to the respondent to recover the same from him in accordance with law.

The writ petition stands disposed of accordingly. The miscellaneous petitions pending, if any, shall also stand disposed of. There shall be no order as to costs.

(RAMESH RANGANATHAN, ACJ)

(A. SHANKAR NARAYANA, J)

29th November, 2016

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