

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 23.11.2017
CORAM

The Hon'ble Mr. Justice T.S.Sivagnanam

W.P.No. 43021 of 2006
and
M.P.No.1 of 2006

Sri Vivekananda Nursery and Elementary
Matriculation School,
represented by its Correspondent
Mr.N.Somasekara Reddy, Petitioner

Vs.

The Government of Tamil Nadu,
represented by its Secretary to Government,
Home (Transport) Department,
Chennai - 600 009. Respondent

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Declaration to declare the Tamil Nadu Motor Vehicle Taxation (Amendment Act) 13 of 2003 as null and void insofar as it substitutes the rate of tax in clause 8 of the I Schedule of the Principal Act by increasing the Motor Vehicle Tax in respect of the vehicle owned by Educational Institutions from Rs.500/- per quarter to Rs.150/- for every person.

For Petitioner : Mr.G.Anabayachozhan

For Respondent : Mr.R.Rajeshwaran
Special Government Pleader

O R D E R

Heard Mr.G.Anabayachozhan, the learned counsel appearing for the petitioner and Mr.R.Rajeshwaran, the learned Special Government Pleader for the respondent.

2. In this Writ Petition, the petitioner has sought for issuance of a Writ of Declaration, to declare the Tamil Nadu Motor Vehicle Taxation (Amendment Act) 13 of 2003 as null and void, insofar as it substitutes the rate of tax, in clause 8 of the I Schedule of the Principal Act, by increasing the Motor Vehicle Tax, in respect of the vehicle owned by Educational Institutions from Rs.500/- per quarter to Rs.150/- for every person.

3. Mr.G.Anabayachozhan, the learned counsel appearing for the petitioner fairly submits that the issue involved in this Writ Petition is squarely covered against the petitioner, in the light of the Hon'ble Division Bench decision of this Court, in the case of Association of Managements and others v. Govt. of Tamil Nadu and another) in W.P.Nos.19466 of 2003 etc., (batch) in and by which, the Hon'ble Division Bench upheld the validity of the Act, and dismissed the Writ Petitions, vide common order, dated 15.11.2006.

4. Thus, following the order passed by the Hon'ble Division Bench, in the case referred above, the present Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

msm/sd

Sd/-
Assistant Registrar

/TRUE COPY/

Sub-Assistant Registrar

To

The Government of Tamil Nadu,
represented by its Secretary to Government,
Home (Transport) Department,
Chennai - 600 009.

+1CC to Sub Court Pleader [Taxes] SR.NO.83929

W.P.No. 43021 of 2006

MK:19/03/2018

सत्यमेव जयते

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