

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 15.02.2017

Coram

THE HONOURABLE MR. JUSTICE RAJIV SHAKDHER

W.P.No.3555 of 2016

M/s.ESAI & CO,
rep. by its Proprietor,
N.P.Esai Alagan,
S/o.Palanivel Grounder,
No.38/40, North Boag Road,
T.Nagar, Chennai- 600 017.

.. Petitioner

vs.

1. The Transport Commissioner,
Transport Department,
Ezhilagam, Chepauk,
Chennai - 600 005.
2. The Regional Transport Officer,
RTO (West), K.K.Nagar,
Chennai-600 078.
3. Bajaj Allianz General Insurance Co.Ltd.,
I Floor, No.6/2A, 6th Cross Street,
United India Colony,
Kodambakkam,
Chennai - 600 024. ## .. Respondents

R3 impleaded as per order dated 21.09.2016
in WMP No.5218 of 2016 in W.P.No.3555 of 2016

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Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to refund the Life Time Tax paid by the petitioner to the tune of Rs.8,49,094/- (Rupees Eight lakh forty nine thousand and ninety four only) towards the Car bearing Regn.No.TN 09 CA 6465 since the vehicle was completely damaged and became non usable within five and a half months from the date of payment of life time tax and pass such further or other suitable orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

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For Petitioner : Mr.R.Arun Dattan

For Respondents : Mr.C.Jagadish,
Special Government Pleader
for RR 1 and 2

Mr.M.B.Gopalan,
For M/s.MB.Gopalan & Associates
for R3

ORDER

1. After some arguments, learned counsel for the petitioner seeks to withdraw the captioned writ petition, with liberty to take recourse to an appropriate proceedings.

2. Accordingly, the writ petition is dismissed as withdrawn, with liberty, as prayed for, albeit, in accordance with law. There shall, however, be no order as to costs.

Sd/
Assistant Registrar

/True copy/

Sub Assistant Registrar

To

1. The Transport Commissioner,
Transport Department,
Ezhilagam, Chepauk,
Chennai - 600 005.

2. The Regional Transport Officer,
RTO (West), K.K.Nagar,
Chennai-600 078.

+1cc to Mr.C.Munusamy, Advocate SR.No.9910

+1cc to Mr.M.B.Gopalan, Advocate SR.No.10124

W.P.No.3555 of 2016

SDR 08.03.2017