

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.09.2017

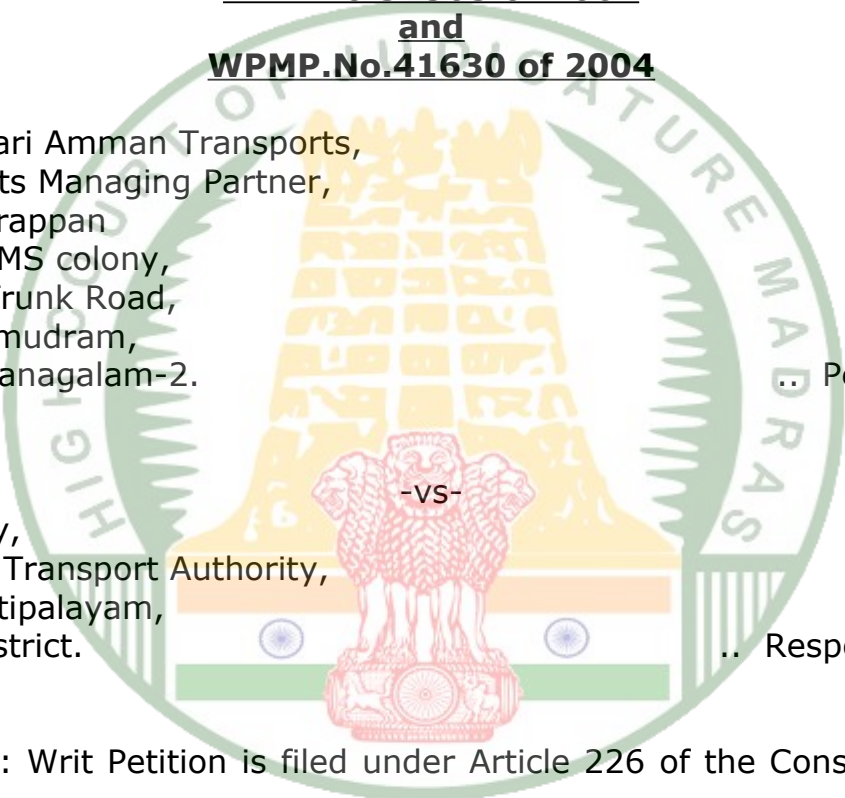
CORAM:

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. No.34503 of 2004
and
WPMP.No.41630 of 2004

Sri Bannari Amman Transports,
Rep. by its Managing Partner,
Thiru Marappan
13/20, BMS colony,
Mysore Trunk Road,
Rangasamudram,
Sathyamanagalam-2.

: Petitioner

The seal of the High Court of Madras is a circular emblem. It features a central yellow temple gopuram (tower) with a red lion capital on top. Below the gopuram is a red elephant. The entire emblem is set against a background of green and yellow stripes. The words "HIGH COURT OF JUDICATURE MADRAS" are written in a circular border around the central image.

-VS-

Secretary,
Regional Transport Authority,
Gobichettipalayam,
Erode District.

: Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari to call for the records of the respondent relating to R.No.37419/B4/2004 dated 02.11.2004 demanding tax of Rs.17,100/- in so far as the vehicle No.TN-69-W-4952 and to quash the same.

For petitioner : Mr.N.Gopalakrishnan

For respondent : Mrs.K.Bhuvaneswari

ORDER

The petitioner challenging the demand notice dated 02.11.2004, by which, the respondent made a demand of Rs.17,100/- on vehicle bearing No.TN-69-W-4952 for misuse of permit.

2. The brief facts of the petitioner is that the petitioner is the owner of the vehicle bearing No.TN-69-W-4952 covered by spare bus permit issued by the respondent office. Contrary to the permit, the petitioner's vehicle which is permitted to ply in the route of Sathyamangalam, has picked up 56 passengers from Coimbatore and collected individual fare of Rs.300/- and Rs.200/- and plied to Chennai. Hence, the special permit was misused.

3. On 06.10.2003, said vehicle was intercepted at Koyambedu and found that the vehicle was plied contrary to the original permit and operated as omni bus service. Accordingly, the authority calculated the amount and imposed penalised amount and pass orders and issued a demand notice on 02.11.2004 to pay a sum of Rs.17,100/-. Aggrieved by the same, the present writ petition is filed.

4. Learned Government Advocate appearing for the respondent

submitted a letter dated 07.09.2006, wherein, it is stated that the said amount of Rs.17,100/- was paid by the petitioner on 28.07.2005 and remittance pay slip is also enclosed along with the letter.

5. In view of the above, I do not find that anything would survive for adjudication in the writ petition.

In the result, the writ petition is closed. No costs. Consequently, connected miscellaneous petition is closed.

15.09.2017

gv

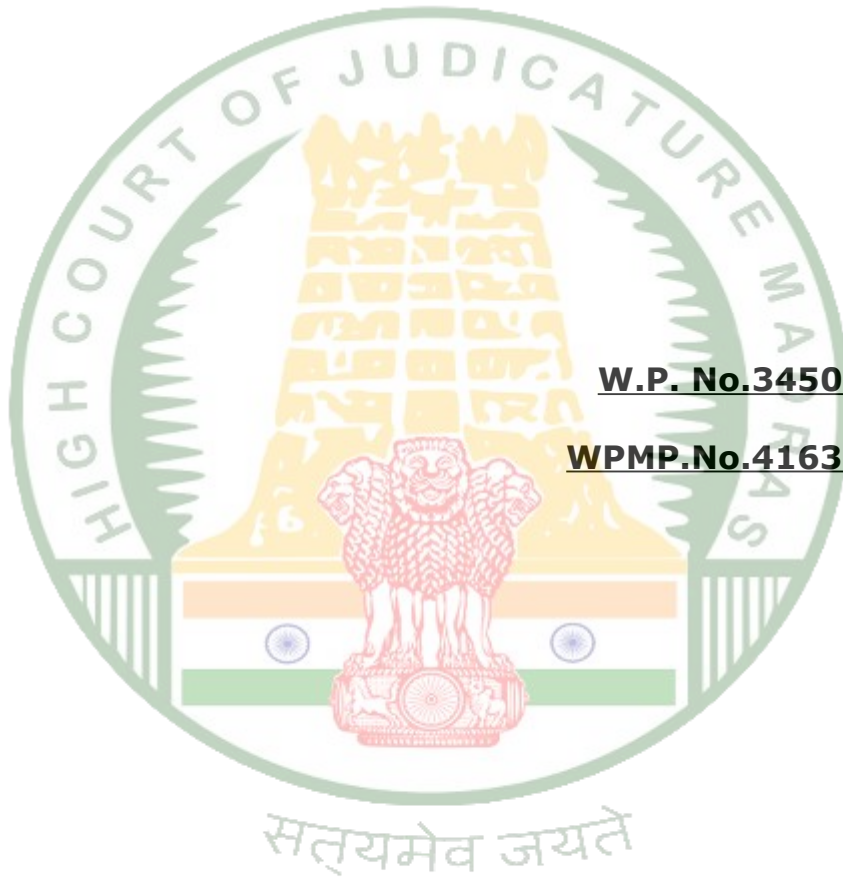
Speaking order:Non-speaking order

Index: Yes/No

To

Secretary,
Regional Transport Authority,
Gobichettipalayam,
Erode District.

M. DHANDAPANI.,J.



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