

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2017

CORAM

THE HONOURABLE Mr.JUSTICE M.DHANDAPANI

W.P.Nos.34740 and 34741 of 2004

M/s.Varman Carrying Corporation,
Rep. by its Prop.M.Imayavarambhan,
3, Bajanai Koil Street,
Anna Nagar, Chennai-40.

... Petitioner
in both WPs

Vs.

The Secretary,
Regional Transport Authority,
Chennai North West,
Chennai-40.

... Respondent
in both WPs

Writ Petitions filed under Article 226 of the Constitution of India to issue a Writ of Certiorari to call for the records of the respondent in proceeding No.R.No.37993/A2/2004 dated 24.09.2004 and quash the same in respect of vehicle bearing registration Nos.TN02B 6195 and TN02B 6196 respectively.

For Petitioner : Mr.R.Ramanlal in both WPs

For Respondents : Mr.M.Elumalai,
Government Advocate in both WPs

C O M M O N O R D E R

The petitioner is the owner of two lorries, bearing Registration Nos.TN-02B-6195 and TN-02B-6196, registered with the respondent. The vehicles were plying with regular permit, after payment of necessary taxes to the respondent. Due to major mechanical problem, the vehicle bearing Registration No.TN-02B-6195, was not operated from 21.03.1999 to 21.02.2000 and again, from 22.02.2000 to 18.03.2000.

2.However, on 24.09.2004, the respondent directed the petitioner to pay the tax due with penalty to the said vehicle, which was not in use, as detailed in the demand notice, which is enclosed.

3.The learned counsel appearing for the respondent filed a counter stating that the petitioner has already sold the said vehicles to one Kuppan, who took physical possession of the vehicles on 31.08.2003 itself. Thereafter, the petitioner paid the entire tax and the respondent has also issued the Tax Clearance Certificate on 30.11.2004.

In view of the above, since the petitioner himself paid the entire tax, nothing survives for adjudication in these Writ Petitions. Accordingly, these Writ Petitions are closed. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

mps

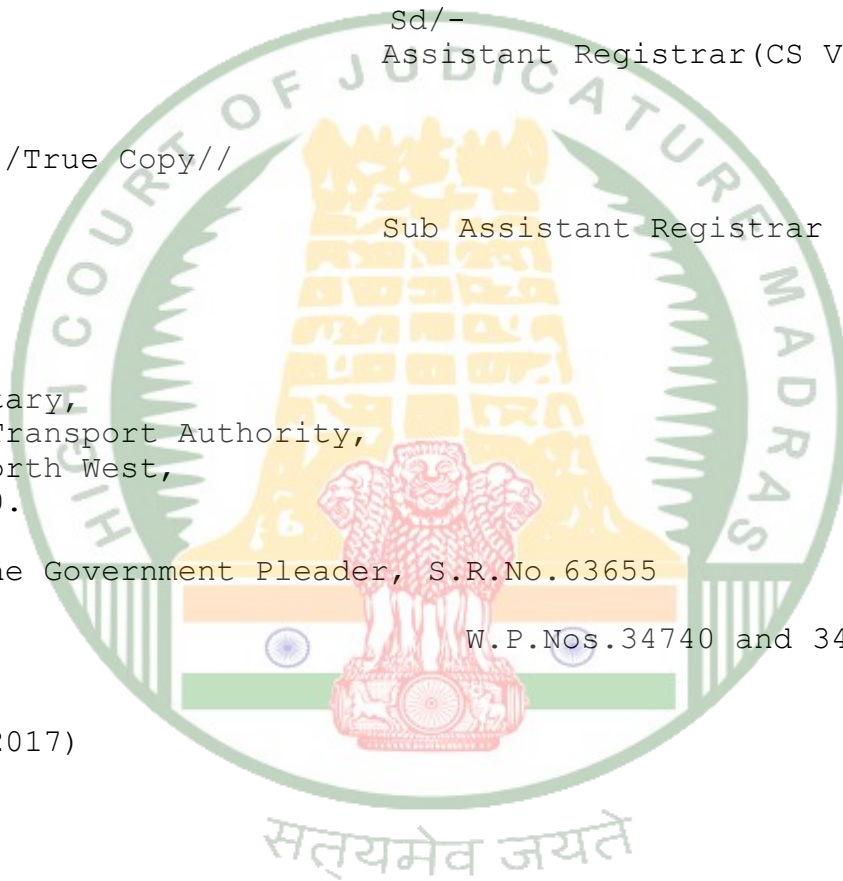
To

The Secretary,
Regional Transport Authority,
Chennai North West,
Chennai-40.

+1cc to the Government Pleader, S.R.No.63655

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SS(CO)
CA(11/10/2017)



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