

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.10.2018

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.28703 of 2010

and

M.P.Nos.2 & 3 of 2010 and MP.No.2 of 2011

A.M.Kumar,
RPN Motors, No.31/10, No.6,
Paachi Complex, T.N.Pura Road,
Nazarabad, Mysore - 570 010. ... Petitioner

* petitioner substituted as per order
dated 18.07.2011 in MP.No.1 of 2011 in
WP.No.28703 of 2010.

vs.

The Transport Commissioner,
State Transport Authority,
Chepauk, Chennai - 600 005. ... Respondent

Writ Petition filed under Article 226 of the Constitution of India praying to issue a WRIT OF CERTIORARIFIED MANDAMUS, calling for the records of the respondent vide R.No.46639/E4/1989 dated 21.07.2010 and the consequential order in R.No.46639/E4/1989 dated 16.11.2010 in respect of the petitioners Stage Carriage Vehicle bearing Registration No.KA 10-7778 and KA 10 7779 replaced respectively in place of KA 10 D 8888 and KA 10 C 8888 plying on the route Mysore to Erode and to quash that portion of the order of the respondent demanding the Tax and penalty for the period from 09.06.2003 to 15.12.2008 and further to direct the respondent to Receive the tax from the petitioner for the period from 01.04.1986 to 08.06.2003 for the sum of Rs.20,46,933/- in easy installments.

For Petitioner : Mr.Ma.Pa.Thangavel
For Respondent : Mr.N.Inbanathan,
Additional Government Pleader

O R D E R

This writ petition was filed challenging the order of the respondent dated 21.07.2010 and the consequential order dated 16.11.2010 in respect of the petitioners Stage Carriage Vehicle bearing Registration No.KA 10-7778 and KA 10 7779 replaced respectively in place of KA 10 D 8888 and KA 10 C 8888 plying on the route Mysore to Erode.

2. Today the matter is taken up for final disposal.

3. Mr.Ma.Pa.Thangavel, learned counsel for the petitioner submitted that during the pendency of the writ petition, the petitioner has remitted the entire demand of Rs.38,70,933/- being the arrears of tax from 01.04.1986 to 15.02.2008 for different periods. Thus, he submitted that as the petitioner has remitted the entire arrears of tax, the respondent may be directed to affix counter signature on permit entries for renewal.

4. The learned Additional Government Pleader appearing for the respondent produced a letter dated 09.10.2018 addressed by the Transport Commissioner, Chepauk, Chennai - 600 005 to the Additional Government Pleader, High Court, Chennai - 600 104, informing that the entire demand of Rs.38,70,933/- has been paid by the petitioner. The learned Additional Government Pleader appearing for the respondent thus submitted that there will be no impediment for the respondent to counter sign the permit entries for renewal.

5. The above said submission is recorded and the writ petition is disposed of with a direction to the respondent to adhere to the undertaking given before this Court. No costs. Consequently, the connected miscellaneous petitions are closed.

s/d-
Assistant Registrar(CS VI)

True Copy

Sub-Assistant Registrar

krk
To

The Transport Commissioner,
State Transport Authority,
Chepauk, Chennai - 600 005.

+1 CC to Mr.Ma.P. Thangavel, Advocate sr 71326.

W.P.No.28703 of 2010

SP(12/10/2018)