



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

and

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P. (MD)No.1163 of 2012

M/s.Hari & Co.,
Rep. by its Managing Partner,
A.Hariharan

: Petitioner

Vs.

- 1.The Commercial Tax Officer II,
Thoothukudi.
- 2.The Regional Transport Officer,
Thoothukudi.
- 3.The State of Tamil Nadu
represented by the
Secretary to Government,
Department of Commercial Taxes
and Religious Endowments,
For St.George,
Chennai - 600 009.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of declaration declearing that the provisions of Sections 2(g), 2(d) and 2(k) of the Tamil Nadu Tax on Entry of Motor Vehicles into Local Areas Act, 1990 are inoperative insofar as imported into the country being ultra vires Serial No.83 of List I of the Seventh Schedule to the Constitution of India insofar as concerning the importation of the motor vehicle by the petitioner herein from abroad.

For Petitioner : Mr.D.Sakkaravarthi

For Respondents : Mr.N.Shanmugaselvam
Additional Government Pleader



O R D E R

[Order of the Court was made by K.RAVICHANDRABAABU, J.]

It is submitted by both sides that the issue involved in this case is already covered by the decision rendered by the Division Bench of this Court in W.P.(MD)Nos.32710 of 2005 etc., dated 29.01.2019 against the petitioner.

2.The learned counsels also produced a copy of the said decision made by the Division Bench of this Court arising out of the same issue, wherein the Division Bench dismissed the similar writ petitions filed by other petitioners.

3.Considering the above stated facts and circumstances and by following the decision rendered in W.P.(MD)Nos.32710 of 2005 etc., dated 29.01.2019, this writ petition is also dismissed. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The Commercial Tax Officer II,
Thoothukudi.
- 2.The Regional Transport Officer,
Thoothukudi.
- 3.The Secretary to Government,
State of Tamil Nadu,
Department of Commercial Taxes
and Religious Endowments,
For St.George, Chennai - 600 009.

+1 CC to M/s.D.SAKKARA VARTHI, Advocate (SR-81554[F] dt.14/08/2019)

+1 CC to M/s.SPL GP (SR-82024[F] dated 16/08/2019)

W.P. (MD)No.1163 of 2012
13.08.2019

rj2

JMN(28.08.2019) 2P : 6C