



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.03.2019

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P. (MD).3680 of 2019

Antony Kumar

... Petitioner

-vs-

The Regional Transport Officer,
Marthandam,
Kanyakumari District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondent to convert the petitioner's Maxi Cab Vehicle bearing Registration No. TN 09 BR 3390 from the category of Maxi Cab to own use by receiving life tax to the vehicle cost excluding VAT amount.

For Petitioner	: Ms.V.Karthigaipriya for Mr.K.P.Narayanakumar
For Respondent	: Mr.M.Jeyakumar Additional Government Pleader

O R D E R

The instant writ petition has been filed for mandamus directing the respondent to convert the petitioner's maxi cab bearing Reg. No. TN 09 BR 3390 to own use by receiving life tax based on the value of the vehicle excluding VAT amount.

2. It is the case of the petitioner that he decided to convert his maxi cab vehicle for his personal use, for which he gave a representation on 10.11.2018 to the respondent. It is also the case of the petitioner that as per the said representation, the respondent ought to have assessed the vehicle's cost excluding the VAT amount @ Rs.9,30,243.41/-. According to the petitioner even though the representation was given on 10.11.2018, the respondent till date has not considered the same. Under such circumstances this writ petition has been filed.

3. Heard Ms.V.Karthigaipriya, learned counsel appearing for the petitioner and Mr.M.Jeyakumar, learned Additional Government Pleader



appearing for the respondent.

4. Admittedly, a representation was given by the petitioner on 10.11.2018, which has not been considered by the respondent till date.

WEB COPY

5. Considering the averments contained in the affidavit filed in support of this writ petition and the submissions made by the learned counsel for the petitioner, this Court directs the respondent to consider the representation dated 10.11.2019 sent by the petitioner for converting his Maxi Cab Vehicle bearing Reg.No. TN 09 BR 3390 to own use vehicle by receiving the life tax based on the cost of the vehicle excluding VAT amount @ Rs.9,30,243.41/- and pass final order within a period of four weeks from the date of receipt of a copy this order.

6. With the aforesaid direction the writ petition is disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

The Regional Transport Officer,
Marthandam,
Kanyakumari District.

+1 CC to M/s.K.P.NARYANA KUMAR, Advocate (SR-51475[F] dated 04/03/2019)

+1 CC to M/s.SPL GP (SR-51718[F] dated 05/03/2019)

AAV

TE : 11/03/2019 : 2P/4C

W.P. (MD) No.3680 of 2019
04.03.2019