

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.10984 OF 2019

DATED :10.06.2019

Between :

M/s HDFC Bank Ltd

represented by its Authorized representative

Mr Venkatesh Challavar S/o Sambashiva Rao

aged about 46 years

Occupation Senior Vice President

1, 2, 3, 4, 5, 6, 7, 8, 9th Floor

Roxana Banjara Hills Road No 1 Hyderabad

..

Petitioner

And

The State of Telangana

represented by its Principal Secretary Transport

Telangana State Secretariat Hyderabad & others.

..

Respondents

This court made the following :

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.10984 OF 2019

ORDER :

Heard learned counsel for the petitioner and learned Government Pleader for Transport.

2. Petitioner claims to have purchased Range Rover Evoque Hse Dynamic 2.0 (chassis No. SALVA2AX4JH25262905H) motor car from M/s. Sri Krishna Automotives Hyd Pvt Ltd for an invoice of Rs.46,70,980/- vide invoice No.JL1920VSIAB 8 Dated 8.4.2019. At the time of purchase, petitioner claims to have paid life tax of Rs.6,85,077/-. When petitioner approached the respondents to register his vehicle permanently, he was asked to deposit an additional amount of Rs.2,13,221/- towards life tax holding that petitioner paid less amount than the tax payable on ex Showroom price of the vehicle. According to petitioner life tax is payable on the invoice but not on the ex Showroom price and therefore petitioner is not required to pay the additional tax demanded.

3. In support of the claim that petitioner is not required to pay additional amount demanded by the respondents, he placed reliance on the decision in W.P.No.5286 of 2018 which was upheld by the Division Bench in W.A.No.805 of 2018.

4. Learned Single Judge of this Court held that the State cannot be allowed to levy life tax on the ex-showroom price shown in the price list, when it is not the actual cost of the vehicle and the life tax has to

be levied on the actual cost of the vehicle as paid by the purchaser of the vehicle which can be reflected from the invoice. This view of learned Single Judge was upheld by the Division Bench of this Court.

5. Learned Government Pleader does not dispute the fact that the issue is covered by the decision referred to above.

6. Following the earlier decision in W.P.No.5286 of 2018 dated 02.05.2018 this Writ Petition is also allowed directing the respondents to register the Range Rover Evoque Hse Dynamic 2.0 (chassis No. SALVA2AX4JH25262905H) motor car purchased from M/s. Sri Krishna Automotives Hyd Pvt Ltd, without demanding additional life tax, if the life tax already paid based on the invoice No.JL1920VSIAB 8 dated 8.04.2019 is as per the provisions of the Motor Vehicles Act and the vehicle is fulfilling all other parameters for registration. Pending miscellaneous petitions, if any, shall stand closed.

10th June, 2019
TvK

P.NAVEEN RAO,J

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO



WRIT PETITION No.10984 OF 2019

DATED :10.06.2019