HONOURABLE SRI JUSTICE P.NAVEEN RAO

W.P.No.14808 of 2019

Dt :19.07.2019

Between :

M/s. Synthokem Labs Pvt. Ltd.,
Sanath Nangar, Hyderabad

.. Petitioner

And

State of Telangana,
Rep., by its Principal Secretary,
Transport Department,
Secretariat Building, Hyderabad & others.

.. Respondents

This court made the following :

HONOURABLE SRI JUSTICE P.NAVEEN RAO

W.P. No.14808 of 2019

ORDER :

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

2. Petitioner claims to have purchased a BMW 18 for Rs.1,16,00,000/- from kun Motoren Pvt. Ltd., on 14.07.2018. Based on the tax invoice, he paid Rs.16,24,000/- towards life tax. When he presented the vehicle for registration, he was asked to pay additional amount of Rs.20,44,000/-. Under compulsion, he paid the said amount and he was granted permanent registration of the vehicle as TS-09-FC-0006. This Writ Petition is filed praying to refund the excess amount collected based on the Ex-showroom price.

3. Learned counsel for petitioner places reliance on the decision of learned single Judge of this Court in W.P.No.5286 of 2018, which was affirmed by the Division Bench in W.A.No.805 of 2018 holding that life tax cannot be collected based on the ex-showroom price shown in the price list, when it is not the actual cost of the vehicle, evidencing from invoice issued by the vendor and declared the action of respondents demanding higher life tax as illegal.

4. Following the said decision, learned single Judge of this Court in W.P.No.1803 of 2018 and batch, allowed the Writ Petitions, directing the respondent authorities to refund the excess life tax amount paid by the individuals based on the ex-showroom price.

5. Learned counsel for petitioner as well as learned Government Pleader fairly submit that the subject matter of this Writ Petition is covered by the decision of learned Single Judge of this Court in W.P.No.1803 of 2018 and batch.

6. Following the said decision, this Writ Petition is also allowed, directing the respondent authorities to refund the excess life tax amount collected from the petitioner as per the ex-showroom price, within a period of four weeks from the date of receipt of copy of this order. Pending miscellaneous petitions, if any, shall stand closed.

P.NAVEEN RAO,J

19th July, 2019
kvr