



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.07.2020

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THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No. 7920 of 2020

WEB COPY

Sourashtra Girls Higher Secondary School,
Rep. by M.V. Janaranjani,
Correspondent,
Anupanadi Main Road,
Madurai - 625 009.

...Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. by the Principal Secretary,
Transport Department,
Secretariat, Chennai.

2. The District Collector,
Madurai District,
Madurai.

3. The Regional Transport Office,
Madurai Central,
Madurai.

...Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to give tax exemption to the school buses No. TN 21-AV-9795, TN-49-F-9599, TN 31-D-6464, TN 38-BU-2884, TN 64-B-3384, TN 64-B-3416 of Sourashtra Girls Aided Higher Secondary School, Anupanadi, Madurai and to give free maintenance service to the school buses No. TN 21-AV-9795, TN-49-F-9599, TN 31-D-6464, TN 38-BU-2884, TN 64-B-3384, TN 64-B-3416 of Sourashtra Girls Aided Higher Secondary School, Anupanadi, Madurai, by considering the petitioner's representation dated 19.03.2020.

For Petitioner : Mr. R. Kannan

O R D E R

Heard the learned counsel appearing for the petitioner.

2. The petitioner is a Government Aided school. The petitioner states that the school is catering to the needs of the poor students. In order to provide transport facility to the students, the Tamilnadu Maha Sourashtra Sabha had donated the petition mentioned buses to the school. On account of financial difficulties, the Sabha is unable to bear the maintenance expenses. Therefore, the petitioner had given a representation to the



Government seeking exemption from the payment of tax and for other reliefs. For directing the Government to consider the said representation, this writ petition has been filed.

3. This Court will be justified in issuing the Writ of Mandamus, only if the petitioner makes out a case. The petitioner has not shown the existence of any legal right. Therefore, the direction to consider the representation given by the petitioner cannot be mechanically issued. There must be some statutory provision under which the representation should have been filed. The petitioner has not drawn my attention to any such statutory provision. I am not in a position to grant the relief sought for.

4. This writ petition stands dismissed in limine at the admission stage, without issuing notice to the respondents. Dismissal of this petition will not preclude the authorities from granting concession to the petitioner herein by taking note of the service rendered by the institution. No costs.

Sd/-

Assistant Registrar (CSII)

// True Copy //

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Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

1. The State of Tamil Nadu,
The Principal Secretary,
Transport Department,
Secretariat, Chennai.
2. The District Collector,
Madurai District,
Madurai.
3. The Regional Transport Office,
Madurai Central,
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