BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 11.09.2020
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THE HONOURABLE **MR.JUSTICE G.R.SWAMINATHAN**

W.P.(MD)No.8514 of 2020

V.N.Mohit ... Petitioner

Vs.

1. The Principal Secretary/Commissioner
Tamil Nadu State Transport Department,
Ezhilagam, Chepauk, Chennai-5.

2. The Regional Transport Officer,
Palani, Dindigul District. ... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents more particularly the second respondent to register the vehicle KIA seltos with Engine No.D4FAKM915245 and Cassis No.MZBEN813LKN037315 bearing pre-registration No.TN 94 A 0055 by fixing the sale amount as Rs.9,99,000/- (Nine Lakhs Ninety Nine Thousand) instead of Rs.10,34,000/-(Ten Lakhs Thirty Four Thousand) in Application No.TN20030722150665 dated 07.03.2020 and to collect MV tax to the tune of Rs.99,900/-(Ninety Nine Thousand Nine Hundred) instead of Rs.1,55,100/-(One Lakh Fifty Five Thousand and One Hundred)

For Petitioner : Mr.D.Venkatesh
For Respondents : Mrs.Srimathy,
Special Government Pleader.

ORDER

Heard the learned counsel on either side.

2.With the consent of the counsel on either side, the writ petition is taken up for final disposal.

3.The petitioner had purchased the petition mentioned Car on 16.11.2019. He applied for registration. The grievance of the petitioner is that instead of fixing the sale amount at Rs.9,99,000/-, the second respondent had fixed the sale price at Rs.10,34,000/- and had demanded the Motor Vehicle Tax at Rs.1,55,100/- instead of Rs.99,900/-. This has given raise to the instant writ petition.

4.The learned Special Government Pleader appearing for the respondent states that the price position prevailing at the time of registration is not material and for the purpose of determining the Motor Vehicle Tax, the purchase date only would be material. In the case on hand, the petitioner claims that the purchase was made on 16.11.2019. But then, the second respondent will have to receive information to that effect from the dealer concerned.

5.The petitioner states that they would request their dealer to transmit the invoice details through online to the second respondent.

6.After the second respondent receives the requisite details from the dealer based on the purchase amount, the motor Vehicles Tax payable by the petitioner will be fixed and collected. The second respondent will conclude the entire exercise within a period of three weeks from the date of receipt of such information from the petitioner's dealer.

7.With this direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

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 Principal Secretary/Commissioner
   Tamil Nadu State Transport Department,
   Ezhilagam, Chepauk, Chennai-5.

2. The Regional Transport Officer,
   Palani, Dindigul District.

+1 CC to the Spl GP (SR-16847[F] dated 15/09/2020)

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