



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 15.09.2021

CORAM:

THE HON'BLE MR. JUSTICE S.M.SUBRAMANIAM

WP No.5743 of 2009
and M.P. No.1 & 2 of 2009

Mrs.Mahin Khaleel
rep. By Power Agent
Mr.Sahil Hashmath.

.. Petitioner

Vs

- 1.The State of Tamil Nadu,
Rep. By its Secretary,
Home, Transport Department,
Fort St. George, Chennai - 9.
- 2.The State of Tamil Nadu,
Rep. By its Secretary,
Commercial Taxes Department,
Fort St. George, Chennai - 9.
- 3.The Assistant Commissioner,
Administration,
Commercial Tax Officer,
Greaves Road, Chennai.
- 4.The Commercial Tax Officer,
Egmore Assessment Circle, Egmore,
Chennai - 6.
- 5.The Registering Authority-cum-
Regional Transport Officer,
Chennai - Central, Chennai.

.. Respondents

PRAYER: This Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents 3 and 4 to assess the Entry tax after deduction of tax paid in other State on the petitioner's Honda Civic 1.8V Manual Transmission bearing Engine No.R18A12973368 and Chassis No.MAKFD153B8N106410, to be registered and assigned with a new Registration Mark by the fifth respondent.



WEB COPY

For Petitioner : Mr.S.Sivasangaran
For Respondents : Mr.V.Veluchamy
Government Advocate
Mr.N.S.Suganthan
Government Advocate (Crl.Side)

O R D E R

The presence of the petitioner, is secured by the Inspector of Police, G-7, Chetpet Police Station, pursuant to the issuance of Bailable Warrant.

2. The learned counsel for the petitioner made a submission that the Entry tax in full was paid.

3. The learned Government Counsel appearing on behalf of the respondents on instructions from Mr.V.S.Velavan, State Tax Officer/ Investigation Wing, made a submission that the petitioner has already settled the Entry Tax in full.

4. This being the factum established, no further adjudication needs to be entertained in respect of the grounds raised in this writ petition.

5. Therefore, the writ petition is disposed of. Bailable Warrant issued stands recalled and the petitioner is set free. If at all, any excess tax is paid, the petitioner is at liberty to approach the department for refund, by following procedures as contemplated under the Act. No Costs. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

ars

To

1.The Secretary,
State of Tamil Nadu, Home, Transport Department,
Fort St. George, Chennai - 9.



2.The Secretary,
State of Tamil Nadu, Commercial Taxes Department,
Fort St. George, Chennai - 9.

3.The Assistant Commissioner,
Administration, Commercial Tax Officer,
Greaves Road, Chennai.

4.The Commercial Tax Officer,
Egmore Assessment Circle, Egmore,
Chennai - 6.

5.The Registering Authority-cum-
Regional Transport Officer,
Chennai - Central, Chennai.

+1cc to the Special Government Pleader(Taxes) Sr No.47629

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SVI (CO)
PR (01/10/2021)