



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 11.08.2021

CORAM:

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

WP No.30930 of 2016

and

WMP No.26794 of 2016

Umarsharif Siddique,
S/o. Haroon Rashid,
Proprietor,
Perfect Cargo Movers,
Plot No.1382, New Shreenath Warehouse,
KWC, Kalamboli Steel Market,
Kalamboli,
Navi Mumbai - 410 218

...Petitioner

Vs

1. The Motor Vehicle Inspector (N.T.),
Pethikuppam Check Post,
Gummidipoondi,
Thiruvallur District.

2. The Regional Transport Officer,
Red Hills,
Chennai.

...Respondents

PRAYER: This Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus, calling for the impugned order passed by the 1st respondent in A.No.0871500 dated 24.8.2016 and quash the same and consequently, direct the 1st respondent to release the vehicle viz. Puller Tractor bearing Registration No.NL02K8888 with Hydraulic Trailers bearing Registration Nos.MH46H5206 and MH46H5208 to the petitioner.

For Petitioner : Mrs.R.Aparna
For Respondents : Mr.V.Nanmaran
Government Advocate.

O R D E R

The learned counsel for the petitioner made a submission that inspite of her efforts, she is unable to secure instructions from the petitioner for the purpose of proceeding with the writ petition.



2. The learned counsel for the petitioner is unable to place the fact regarding the payment of entry tax whether made or not.

3. In view of the fact that the learned counsel for the petitioner reported no instructions from the petitioner and further she is not in a position to get instructions as to payment of entry tax, there is no point in keeping the writ petition pending any further.

4. The learned Government counsel appearing on behalf of the respondents states that as per the statute and rules, the petitioner is liable to pay the entry tax and they have not paid and accordingly, penalty was also imposed. Thus, the petitioner is liable to pay the tax.

5. Under these circumstances, the Writ Petition stands dismissed. Respondents are at liberty to recover the tax dues from the petitioner, by following the procedures as contemplated under the statute and rules. No Costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

ars

To

1. The Motor Vehicle Inspector (N.T.),
Pethikuppam Check Post,
Gummidipoondi,
Thiruvallur District.

2. The Regional Transport Officer,
Red Hills,
Chennai.

+1 CC to The Government Pleader, Sr.No. 40031.

WP No.30930 of 2016

KSM(CO)
LS(27/08/2021)