



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.07.2021

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P. Nos.13530 & 13533 of 2021

P.S.Shankar Travels,
M.M.Adigal Salai,
Puducherry.

... Petitioner in W.P. No.13530 of 2021

P.Janardhan

... Petitioner in W.P. No.13533 of 2021

Vs

1.The Motor Vehicles Inspector,
Non Technical, in coming Check Post,
Tirutani.

2.The Regional Transport Officer,
Tirutani.

3.The Transport Commissioner,
Chepauk, Chennai -5.

... Respondents in both WPs

COMMON PRAYER : Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus to direct the 2nd respondent herein to consider and pass orders on the petitioner's application dated 28.12.2020 for the grant of refund or adjustment of motor vehicles tax in respect of petitioner's vehicles for the Covid 19 lock-down period, forthwith.

For Petitioner : Mr.K.Hariharan in both WPs

For Respondents : Mr.TNC.Kaushik,

Government Advocate in both WPs

C O M M O N O R D E R

Heard Mr.K.Hariharan, learned counsel for the petitioner and Mr.TNC.Kaushik, learned Government Advocate for the respondents who has accepted notice for the respondents.

2. I have had occasion to consider the identical issue in

<https://hcservices.secourts.gov.in/hcservices/> Petitions and by order dated 23.04.2021 in W.P.



Nos.10180, 10181, 10184, 10186 and 10187 of 2021, wherein I have stated as follows:

'Mr.R.P.Prathap Singh, learned Government Advocate accepts notice for the respondents and is armed with instructions to proceed finally in the matter even at the stage of admission and hence, by consent of both sides as well as taking note of the fact that the issue raised falls within a short compass, these Writ Petitions are taken up for final disposal.

2. The prayer is for a mandamus directing the second respondent/Regional Transport Officer to consider and pass orders on the applications dated 28.12.2020 seeking refund or adjustment of the motor vehicles tax in the future liability in respect of the petitioners' vehicles for the period when the State was under lockdown on account of the COVID-19 pandemic.

3. The applications of the petitioners are, admittedly, pending and Mr.Prathap assures the Court that the second respondent will hear the petitioners and pass orders in accordance with law within a period of six (6) weeks from today.

4. The aforesaid submission is recorded. As nothing further survives in these Writ Petitions and the mandamus sought stands achieved, the same are closed. No costs.'

3. This order may well apply to the position in the present cases as well. In light of the concurrence expressed by both learned counsel to the effect that the facts and the legal position are identical in the present cases, the aforesaid order is taken to be passed in these matters as well.

4. These writ petitions are closed. No costs.
Sd/-

Assistant Registrar(Ccc)

//True Copy//

Sub Assistant Registrar



To

1.The Motor Vehicles Inspector,
Non Technical, in coming Check Post,
Tirutani.

2.The Regional Transport Officer,
Tirutani.

3.The Transport Commissioner,
Chepauk, Chennai -5.

+1 cc to Government Pleader Sr.No. 31410

W.P. Nos.13530 & 13533 of 2021

PCH (CO)

A.SK(02.08.2021)