BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 26.02.2021

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CONT.P.(MD)No.1279 of 2020
in
W.P.(MD)No.8514 of 2020

V.N.Mohit ... Petitioner/Petitioner

Vs.

Mr.Kannan,
Regional Transport Officer,
Palani, Dindigul District. ... Contemnor/2nd Respondent

Prayer: Contempt petition is filed under Section 11 of the Contempt of Courts Act, to call upon the contemnor/2nd respondent for his willful disobedience of the order passed by this Court in W.P.(MD)No.8514 of 2020 dated 11.09.2020 and punish the contemnor/2nd respondent in accordance with law.

Prayer in WP(MD). 8514/ 2020 :
Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus directing the respondents more particularly the 2nd respondent to register the vehicle KIA Seltors with Engine no.D4FAKM915245 and Chassis 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 dt 7.3.2020 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 Thousand and One Hundred)

For Petitioner : Mr.D.Venkatesh

For Respondent : Mr.M.Rajarajan,
Additional Government Pleaer.

O R D E R

Heard the learned counsel on either side.

2.The petitioner is a purchaser of a vehicle. According to the petitioner, the purchase was on 16.11.2019 for a sum of

Rs.9,99,000/- but the sale details were not entered into the Vaahan Portal immediately. There was some delay in entering the details. By then, the value of the car was revised to Rs.10,34,000/-. Alleging that the respondent is not registering the vehicle, the petitioner filed W.P.(MD)No.8514 of 2020. The writ petition was disposed of on 11.09.2020 by directing the Regional Transport Officer, Palani, Dindigul District to receive the requisite details from the dealer as regards the purchase amount and that based on the same, motor vehicles tax payable by the petitioner will be fixed and collected. The petitioner's specific allegation is that even though the dealer has clarified that the sale was on 16.11.2019 for a sum of Rs.9,99,000/-, still the respondent has not chosen to comply with the direction passed by this Court.

3.Of course, the petitioner's counsel is right in his contention that the direction passed by this Court is to fix and collect the motor vehicles tax based on the purchase details. But in the case on hand, the respondent is really in a quandary. The respondent has to necessarily go by what is reflected in the Vaahan Portal. Therefore, the respondent cannot be blamed. It is for this reason, I have to necessarily close this contempt petition. It is open to the petitioner herein either to file a review petition or a miscellaneous petition in the concluded writ petition or to file a fresh writ petition.

4.With this liberty to the petitioner, this contempt petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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To:

The Regional Transport Officer,
Palani,
Dindigul District.

+1 CC to MR.D.VENKATESH, Advocate (SR-7782[F] dated 01/03/2021)

+1 CC to SPL GP (SR-7880[F] dated 01/03/2021)

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