



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR

W.P.[MD]No.9850 of 2015

and

M.P.[MD]No.1 of 2015 & W.M.P.[MD]No.14980 of 2016

WEB COPY

Arasan Beedi Co Ltd.,
Represented by its
Managing Director,
Mr.M.A.Gaddaffi,
47, Ambai Road, Melapalayam,
Tirunelveli, Tamil Nadu - 627 005.

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by its Secretary,
Home (Transport) Department,
Fort St. George, Chennai - 600 009.

2.The Assistant Commissioner of Commercial Tax,
Tirunelveli.

3.The Regional Transport Officer,
Tirunelveli.

4.The Motor Vehicle Inspector,
Tirunelveli.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, forbearing the respondents and their subordinates from demanding or collecting entry tax on the petitioner's new Nissan GTR 2014 MY 550 RECARO motor vehicle bearing VIN number JNIGANR35U0160612 and Engine Number 030167A, to be registered and assign new registration mark by the third and fourth respondents.

For Petitioner	: No appearance
For Respondent No.1	: Mr.M.Lingadurai Special Government Pleader

O R D E R

Read this in conjunction with and in continuation of earlier proceedings made in the previous listings on 24.11.2021, 25.11.2021, 29.11.2021 and 30.11.2021 which are as follows:

'24.11.2021:

Mr.M.Lingadurai, learned Special Government

Pleader on behalf of all the four respondents is



before this Court but there is no representation for the writ petitioner.

2. With the intention of giving opportunity to the writ petitioner and writ petitioner's counsel, Registry to list this matter tomorrow. Registry is directed to print the name of learned State Counsel in the cause list from the next listing.

3. List on 25.11.2021.

25.11.2021:

Read this in conjunction with and in continuation of earlier proceedings made in previous listing on 24.11.2021.

2. The position is no different today. In other words, Mr.M.Lingadurai, learned Special Government Pleader on behalf of all the respondents is before this Court but there is no representation for the writ petitioner.

3. With the intention of giving opportunity to the writ petitioner and writ petitioner's Counsel, Registry to list this matter again on Monday.

4. List on 29.11.2021.

29.11.2021:

Read this in conjunction with and in continuation of earlier proceedings made in the previous listings on 24.11.2021 and 25.11.2021. The position is no different today, in other words, Mr.M.Lingadurai, learned Special Government Pleader on behalf of all the respondents is before this Court but there is no representation for writ petitioner, with the intention of giving further opportunity to the writ petitioner and writ petitioner's counsel, Registry to list this matter again tomorrow.

2. List on 30.11.2021.

30.11.2021:

Read this in conjunction with and in continuation of earlier proceedings made in the previous listings on 24.11.2021, 25.11.2021, and 29.11.2021, the position is no different today. In other words, Mr.M.Lingadurai, learned Special



Government Pleader on behalf of the respondents is before this Court but there is no representation for writ petitioner, with the intention of giving one further but last opportunity to the writ petitioner and writ petitioner's counsel, Registry to list this matter again tomorrow under the cause list caption 'FOR DISMISSAL'.

2. List on 01.12.2021 under the cause list caption 'FOR DISMISSAL . '

[Extracted and reproduced as such]

2. Pursuant to the aforementioned proceedings made on 30.11.2021, captioned main Writ Petition and Miscellaneous Petitions thereat are listed under the cause list caption 'FOR DISMISSAL'. Notwithstanding the captioned matters being listed under the cause list caption 'FOR DISMISSAL', there is no representation for the writ petitioner today also but Mr.M.Lingadurai, learned Special Government Pleader on behalf of all the respondents is before this Court.

3. In the light of the narrative thus far and the trajectory the matter has taken, captioned Writ Petition and the captioned Miscellaneous Petitions herein are dismissed for default / non-prosecution. There shall be no order as to costs.

4. Learned State Counsel points out that the writ petitioner has given an undertaking pending writ petition and got the vehicle registered but has not honoured the undertaking. In the light of the dismissal of the captioned writ petition, it is open to the respondents to proceed against the writ petitioner in a manner known to law.

Sd/-

Assistant Registrar (CRL)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

MR

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 Secretary,
State of Tamil Nadu,
Home (Transport) Department,
Fort St. George, Chennai - 600 009.

2.The Assistant Commissioner of Commercial Tax,
Tirunelveli.

3.The Regional Transport Officer,
Tirunelveli.

4.The Motor Vehicle Inspector,
Tirunelveli.

+1 CC to M/s.SPL GP (SR-37036[F] dated 02/12/2021)

W.P. [MD]No.9850 of 2015
01.12.2021

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