



WEB COPY



WP.No.5085 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.06.2022

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THE HONOURABLE **DR. JUSTICE ANITA SUMANTH**

W.P.No.5085 of 2019 and
W.M.P.No.5799 of 2019

All Omni Bus Owners & Operators Association,
Rep. by its General Secretary A.Anbalagan
F-4, Sriji Majestic Complex,
Omni Bus Terminal, Koyambedu,
Chennai-600 107.

... Petitioner

Vs

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

2.The Transport Commissioner cum
State Transport Authority,
Ezhilagam, Chepauk,
Chennai – 600 005.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd Respondent and all his subordinates to accept the motor vehicles tax payable by the members of the petitioner's association in cash or demand draft or online and not to insist the tax payment only by online.



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For Petitioner : No Appearance

For Respondents : Mr.S.Balamurugan
Government Advocate

ORDER

The prayer of the petitioner is for a mandamus directing the 2nd respondent being the Transport Commissioner cum State Transport Authority to accept motor vehicles tax payable by the members of the petitioners association in cash and demand draft also in addition to online payment.

2. A detailed counter has been filed by the respondents on the question of maintainability of the writ petition relying on the decision of the Calcutta High Court in the case of *Sabitri Motor Service V. Asansol Bus Association* [AIR 1951 Calcutta 255].

3. That apart, the respondents have also supported the present procedure of collection of tax only online, citing reasons of transparency as well as administrative efficiency. The respondents point out that the payers as well as employees of the respondent would be free to attend to other business instead of having to maintain counters for the receipt of payments physically. The absence of manual intervention is thus a step forward in the right direction, they submit.



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4. I agree with the stand taken by the respondents and see no justification for the respondents to amend the procedure that is prevalent thus far.

5. This writ petition is dismissed. No costs. Connected miscellaneous petition is closed.

09.06.2022

Index : Yes/No
Speaking Order
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To

1.The State of Tamil Nadu,
Rep. by its Secretary to
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2.The Transport Commissioner cum
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DR.ANITA SUMANTH, J.

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