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W.P.Nos.29394 and 29395 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.10.2023

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The Honourable **Mr.Justice Krishnan Ramasamy**

W.P.Nos.29394 and 29395 of 2023

- | | |
|-------------|---------------------------------------|
| 1. C.Ramu | ...Petitioner in W.P.No.29394 of 2023 |
| 2. V.Kannan | ...Petitioner in W.P.No.29395 of 2023 |

Vs.

1. The Motor Vehicles Inspector (NT)
Multipurpose Check Post, Zuduvwadi,
Hosur, Krishnagiri District.
2. The Motor Vehicles Inspector
Bagalur Check Post,
Hosur, Krishnagiri District.

...Respondents

Common Prayer : Writ Petitions filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to accept the Motor Vehicle Tax for Tamil Nadu, voluntarily tendered by the petitioners in advance for 7 days or 30 days or 90 days use in Tamil Nadu in accordance with ninth schedule of the Tamil Nadu Motor Vehicles Taxation Act, 1974, in respect of the petitioners vehicles bearing Registration No.KA 51 AJ 6676 and KA 51 AJ 6999 respectively forthwith.



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For Petitioners : Mr.A.Ganesan

For Respondents : Mr. S.Ravikumar
Special Government Pleader

COMMON ORDER

With consent, the main Writ Petitions are taken up for final disposal at the stage of admission itself.

2. The case of the petitioners is that they are tour operators, having State Wide Contract Carriage Permit to operate their vehicles throughout the State of Karnataka. The petitioners made applications to the respondent, Motor Vehicles Inspector seeking permit to ply the vehicles in Tamil Nadu for a period of 7 days or 30 days or 90 days. Since the said applications evoked no response, the petitioners have filed the present Writ Petitions seeking for aforesaid direction.

3. Mr.A.Ganesan, learned counsel appearing for the petitioners would submit that the petitioners used to ply the vehicles in Tamil Nadu on payment of necessary tax to the State Government of Tamil Nadu as per the



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usage of the vehicles either for 7 days, 30 days or 90 days depending upon tour schedule and now the grievance of the petitioners is that though they are prepared to pay one month or one quarter tax to ply the vehicles in Tamil Nadu, irrespective of whether the usage is for 7 days, or 30 days or 90 days, the respondents are not considering the application of the petitioners. In support of his case, the learned counsel also drawn the attention of this Court to the order passed by the learned Single Judge of this Court in W.P.No.5751 of 2021, dated 24.03.2021, which is annexed at Page No12 of the typed-set of papers, wherein a similar prayer sought for by a tour operator was granted. Therefore, the learned counsel prays that, similar direction may be issued in the present Writ Petition as well.

4. Mr. S.Ravikumar, learned Special Government Pleader, who accepts notice on behalf of the respondents would submit that if the applications made by the petitioners is supported with all necessary documents, the same would be considered by the respondents and necessary plying permit would be granted.

5. In the light of the above, this Writ Petitions are disposed of by



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directing the respondents to consider the petitioners Tour Programme Charges application (which shall be filed by the petitioners along with necessary documents) and accept the motor vehicle tax, which the petitioners voluntarily tenders according to the proposed usage of their vehicles in Tamil Nadu either for 7 days or 30 days or 90 days and grant necessary plying permit to the petitioners forthwith without any further hassle. No costs.

09.10.2023

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Index : yes/no

Neutral Citation : yes/no

To

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Multipurpose Check Post, Zuduvwadi,
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Krishnan Ramasamy,J.,



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