IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 28.11.2023

CORAM

THE HON'BLE Mr. JUSTICE KRISHNAN RAMASAMY

W.P.No.33254 of 2023

S.Prakash

... Petitioner

Vs.

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

2.The Motor Vehicles Inspector,
Bagalur Check Post,
Hosur, Krishnagiri District.

... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents to accept the Motor Vehicle Tax for Tamil Nadu, Voluntarily tendered by the petitioner 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 petitioner's vehicle bearing Registration No.KA 51 AJ 5320 forthwith.

For Petitioner : Mr.S.Sarath Kumar

For Respondent : Mr.S.Ravikumar,
Special Government Pleader

ORDER

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

2. The case of the petitioner is that he is tour operator, having State Wide Contract Carriage Permit to operate their vehicles throughout the State of Karnataka. The petitioner made application 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 application evoked no response, the petitioner had filed the present Writ Petitions seeking for aforesaid direction.

3. Mr.S.Sarath Kumar, learned counsel appearing for the petitioner would submit that the petitioner used to ply the vehicles in Tamil Nadu on payment of necessary tax to the State Government of Tamil Nadu as

per the usage of the vehicles either for 7 days, 30 days or 90 days depending upon tour schedule and now the grievance of the petitioner is that though he is 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 petitioner. 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 application made by the petitioner 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 Petition is disposed of by directing the respondents to consider the petitioners Tour Programme Chart application (which shall be filed by the petitioner along with necessary documents) and accept the motor vehicle tax, which the petitioner 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

28.11.2023

Speaking/Non-speaking order
Index : Yes / No
Neutral Citation : Yes / No
nsa
To

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

2.The Motor Vehicles Inspector,
Bagalur Check Post,
Hosur, Krishnagiri District.

KRISHNAN RAMASAMY.J.,

nsa

W.P.No.33254 of 2023

28.11.2023