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W.P.Nos.32322 and 32323 of 2006

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.03.2024

CORAM :

**THE HON'BLE MR.SANJAY V.GANGAPURWALA ,
CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

W.P.Nos.32322 and 32323 of 2006

Sri Vidhyaa Mandir Higher Secondary
School, Rep. by its Correspondent,
Pethampatti,
Attayampatty Post,
Salem District.

.. Petitioner
(in W.P.No.32322 of 2006)

Sri Vivekanandha Vidhyaalayaa
Nursery & Primary School,
Rep. by its Correspondent,
Erumapatty PO,
Namakkal Taluk & District.

.. Petitioner
(in W.P.No.32323 of 2006)

Versus

1. The State of Tamilnadu,
rep. by its Secretary,
Home (Transport) Department,
Fort St. George, Chennai - 9.

2. The Regional Transport Officer,
Salem.

.. Respondents
(in both the cases)



W.P.Nos.32322 and 32323 of 2006

Prayer in W.P.No.32322 of 2006 : Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Declaration declaring Section 4(3) of the Tamilnadu Motor Vehicles Taxation Act, Amendment Act 13 of 2003 as ultra vires, unconstitutional and void by substituting Clause 8(1) of the I schedule, enhancing the tax for the petitioner's Educational Institution vehicle No.TN-29-H-7799, from Rs.500/- per quarter to Rs.150/- per seat per quarter.

Prayer in W.P.No.32323 of 2006 : Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Declaration declaring Section 4(3) of the Tamilnadu Motor Vehicles Taxation Act, Amendment Act 13 of 2003 as ultra vires, unconstitutional and void by substituting Clause 8(1) of the I schedule, enhancing the tax for the petitioner's Educational Institution vehicle No.TN-23-H-4555, from Rs.500/- per quarter to Rs.150/- per seat per quarter.

For Petitioners : No Appearance
(in both the cases)

For Respondents : Mr.P.Harish,
(in both the cases) Government Advocate
for RR-1 and 2

COMMON ORDER

(Order of the Court is made by the Hon'ble Chief Justice)

Heard Mr.P.Harish, learned Government Advocate for the respondents in both the cases.



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2. There is no representation on behalf of the petitioners. The learned Government Advocate for the respondents submits that subsequent amendments have been made and as such, now, the relief claimed does not survive. The Writ Petitions have become infructuous.

3. In view of that, these Writ Petitions are disposed of as infructuous. There shall be no order as to costs. Consequently, M.P.No.1 of 2006 (2 in number) are closed.

(S.V.G., CJ.)

(D.B.C., J.)

18.03.2024

Index : yes/no
Speaking order/Non-speaking order
Neutral Citation : yes/no
grs

To

1. The Secretary,
Home (Transport) Department,
Fort St. George, Chennai - 9.
2. The Regional Transport Officer,
Salem.



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W.P.Nos.32322 and 32323 of 2006

**THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J.**

grs

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18.03.2024