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W.P.No.15925 of 2005

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.03.2024

CORAM :

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

W.P.No.15925 of 2005

D.A.V.School

Represented by its Secretary & Correspondent,

S.Varadarajan

.. Petitioner

Versus

1. The State of Tamilnadu,
Rep. by its Secretary to Govt.,
Home [Transport] Dept.,
Fort St. George,
Chennai - 600 009.

2. The Regional Transport Officer,
Meenambakkam,
Chennai - 16.

.. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Declaration declaring Clause 8 of the Schedule - I to the Principal Act as amended by the Tamilnadu Motor Vehicles Taxation [Amendment] Act 13 of 2003 and the notification issued by the Government of Tamil Nadu bringing into force the amended provision with effect from 01.08.2003 vide their in order no.649 Home [Transport - I] Department, dated 31.07.2003 as ultra virus and violative of Article 14 & 19[1][g] of the Constitution of India insofar as it amounts to levy of Road Tax for the vehicles used by the Educational Institutions is concerned.



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For Petitioner : No Appearance

For Respondents : Mr.C.Harsharaj,
Additional Government Pleader
Asst. by Mrs.K.Vasanthamala,
Government Advocate (Tax)

ORDER

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

Heard Mr.C.Harsharaj, learned Additional Government Pleader assisted by Mrs.K.Vasanthamala, learned Government Advocate for the respondents.

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

3. In view of that, this Writ Petition is disposed of as infructuous. There shall be no order as to costs.

(S.V.G., CJ.)

06.03.2024

(D.B.C., J.)



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Index : yes/no

Speaking order/Non-speaking order

Neutral Citation : yes/no

grs

To

1. The Secretary to Government,
Home [Transport] Department,
Fort St. George,
Chennai - 600 009.
2. The Regional Transport Officer,
Meenambakkam,
Chennai - 16.



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

grs

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