



WP No.5779 of 2005

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.03.2024

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

WP No.5779 of 2005

M.J.Lalu : Petitioner

Vs

1.The State of Tamil Nadu,
rep. By its Secretary
Home (Transport) Department,
Fort St.George, Chennai 9

2.The Regional Transport Officer
Pollachi, Coimbatore District : Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Declaration declaring Section 4(1-A) (a) of the Tamil Nadu Amendment Act 27 of 1998 as amended by Tamil Nadu Act 13 of 2003 by substituting Schedule III Part I of the Tamil Nadu Motor Vehicles Taxation Act, 1974 as ultra vires and violative of Art. 14 of the Constitution in respect of the petitioner's vehicle with engine No.5JA1590 and Chassis No.MAJAXXMRTA5JA 1590.



WP No.5779 of 2005

For Petitioner : No appearance
For Respondents : Mr.C.Harsharaj,
Additional Government Pleader (T)

ORDER

(Made by the Hon'ble Chief Justice)

None appears for the petitioner.

2. We have heard Mr.C.Harsharaj, learned Additional Government Pleader for the respondents.

3. The petitioner seeks Declaration declaring Section 4(1-A) (a) of the Tamil Nadu Amendment Act 27 of 1998, as amended by Tamil Nadu Act 13 of 2003, by substituting Schedule III Part I of the Tamil Nadu Motor Vehicles Taxation Act, 1974 as ultra vires the Constitution of India. The petitioner is seeking only a declaratory relief.

4. The learned Additional Government Pleader submits that the said provision is no longer in force.



WP No.5779 of 2005

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5. In view the same, the writ petition stands dismissed. There shall be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

28.03.2024

Index : Yes/No
Neutral Citation : Yes/No
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To

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



WEB COPY



WP No.5779 of 2005

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(tar)

WP No.5779 of 2005

28.03.2024