IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2015

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Writ Petition No.7445 of 2009
M.P.No.1 of 2009
M.P.Nos.1 and 2 of 2015

M/s.Indian Organic Chemicals Ltd.,
(Now known as Futura Polyesters Ltd.)
No.1, Kamarajar Salai,
Manali, Chennai 600 068. ... Petitioner

Vs.

1. The State of Tamil Nadu,
rep., by the Secretary to Government,
CT & RE. Department,
Fort St. George, Chennai 600 009.

2. The Commercial Tax Officer,
Manali Assessment Circle,
Kuralagam Annexe, 1st Floor,
Chennai 600 108.

3. The Union of India,
rep., by the Secretary to Government of India,
Department of Revenue,
New Delhi.

4. The State of Maharastra,
rep., by its Secretary,
Department of Revenue,
Mumbai.

5. The State of Rajasthan,
rep., by its Secretary,
Department of Revenue,
Jaipur, Rajasthan.

6. Union Territory of Pondicherry,
rep., by its Secretary,
Department of Revenue,
Pondicherry.

7. Union Territory of Daddra,
rep, by its Secretary,
Department of Revenue,
Daddra.

8. The State of Gujarat,
rep., by its Secretary,
Department of Revenue,
Ahmedabad. ... Respondent

Prayers : Writ Petitions filed under Article 226 of the Constitution of India praying for Writs of Declaration, declaring that the Central Sales Tax Amendment Act, 2005 (No.3 of 2006), gazetted on 16.01.2006, effective from 01.03.2006, restoring powers of adjudication of disputes relating to the issue of two State taxation to the Appellate Authorities constituted under the General Sales Tax Enactments of the States, as void being inconsistent with Articles 14 and 19(1)(g) of the Constitution of India and ultra vires Part XIII of the Constitution of India.

For Petitioner : Mr.R.L.Ramani,
Senior Advocate
for Mr.B.Raveendran

For Respondents 1 & 2: Mr.V.Haribabu,
Additional Government Pleader (T)

O R D E R

Mr.R.L.Ramani, Learned Senior Counsel, appearing for the petitioner, while submitting at the outset that since the petitioner is having the place of business in other States also, by way of abundant caution, he has arrayed respondents 3 to 8 as parties to the writ petition and that now, he is not pressing the case against them, would seek permission of this Court to withdraw this writ petition filed to declare the impugned CST Amendment, as void and inconsistent with Articles 14 and 19(1)(g) of the Constitution of India and as ultra vires the provisions contained in Part XIII of the Constitution.

2. Permission granted. Consequently, the Writ Petition is dismissed as withdrawn and the connected Miscellaneous Petition stand closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

skm

To

1. The Secretary to Government,
    State of Tamil Nadu,
    CT & RE. Department,
    Fort St. George, Chennai 600 009.

2. The Commercial Tax Officer,
    Manali Assessment Circle,
    Kuralagam Annexe, 1st Floor,
    Chennai 600 108.

+1cc to Mr.B. Raveendran, Advocate, S.R.No.33384

+1cc to the Government Pleader, S.R.No.33617

DR(CO)
EU(11/08/2015)

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