

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.06.2016

CORAM

THE HON'BLE MR.JUSTICE T.S.SIVAGNANAM

Writ Petition No. 14510 of 2015
and
M.P.No.1 of 2015

M/s. Swelect Energy Systems Ltd.,
rep. by its Director,
No.5, P.S.Sivasamy Salai,
Mylapore,
Chennai - 600 004. ... Petitioner

Vs.

The Assistant Commissioner (CT)
Mylapore Assessment Circle,
No.46, Greenways Road,
Chennai - 600 028. ... Respondent

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Certiorari to call for records, relating to the impugned order in TIN No.33560700851/12-13, dated 23.04.2015, received on 06.04.2015, passed by the respondent and to quash the same with the consequential relief.

For Petitioner : Mr.T.Ramesh

For Respondent : Mr.S.Manoharan Sundaram
Additional Government Pleader

O R D E R

The petitioner has filed this Writ Petition, seeking for issuance of a writ of certiorari to quash the order passed by the respondent, dated 23.04.2015, and to grant the consequential relief.

2. When the case is taken up today for hearing, it is brought to the notice of this Court, by the learned counsel appearing for the petitioner that, as against the order passed by the respondent herein, dated 28.08.2014, the petitioner has

filed a writ petition, viz., W.P.No.28067 of 2014. It is seen that the said Writ Petition was dismissed, as against which, the petitioner preferred an Appeal, in W.A.No.21 of 2015, and the Hon'ble Division Bench, by a judgement, dated 30.06.2015, allowed the Writ Appeal, and the matter has been remitted back to the assessing officer for fresh consideration. The present Writ Petition has been filed, challenging the demand notice, which is a consequence of the order, dated 28.08.2014. Since the matter has been remanded to the Assessing Officer for fresh consideration, the impugned demand notice cannot be enforced at this stage. Therefore, the Writ Petition is closed, leaving it open to the Assessing Officer to take fresh decision in the matter.

3. In the result, the Writ Petition is closed, as indicated above. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

sd

To

The Assistant Commissioner (CT)
Mylapore Assessment Circle,
No.46, Greenways Road,
Chennai - 600 028.

+1cc to Mr.T.Ramesh, Advocate, S.R.No.30177

+1cc to the Special Government Pleader(T), S.R.No.30219

Writ Petition No. 14510 of 2015

IVJ(CO)
CA(15/06/2016)

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