

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2016

CORAM

THE HONOURABLE MR. JUSTICE M.DURAI SWAMY

Writ Petition No.3969 of 2015
and
M.P.Nos.1, 2 and 3 of 2015

APM Terminals Private Limited
Rep. by its Assistant General Manager
Mr.Raja Desingh
CFS Division
at No.78 Anuppampattu Village
T.H. Road, Ponneri Taluk
Thiruvallur District, Chennai-601 203 ... Petitioner

Vs.

1. The State of Tamil Nadu
Represented by the Secretary
Commercial Taxes and Registration Department
St. George Fort, Chennai.
2. The Assistant Commissioner (CT)
Cholavaram Assessment Circle, Chennai-52.
3. Branch Manager
HDFC Bank Main Branch
No.52/60 M.G. Road
Mumbai-400 001.
4. Ayya Steel Ltd.
Plot No.165 and 166 Manali New Town
Chennai-103.

[R-4 is impleaded as per Order
dated:12.08.2015 in MP.4/2015] ... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of Certiorarified Mandamus calling for the records relating to recovery Notice - Form U issued by the 2nd respondent on 30.12.2014 and quash the same as illegal, arbitrary, abuse of power and without jurisdiction and consequently forbearing the 3rd respondent from attaching / freezing the bank account of petitioner in pursuance to letter issued by the 2nd respondent bearing reference No. TIN/33481705621/2013-14/A2 dated 02.02.2015.

For Petitioner : Mr.R.Sathishkumar

For Respondents 1 & 2 : Mr.S.Kanmani Annamalai
Additional Government Pleader

ORDER

The learned counsel appearing for the petitioner sought the permission of this Court to withdraw the Writ Petition and also made an endorsement to that effect. Further, the learned counsel submitted that liberty may be given to the petitioner to challenge the order of recovery made by the second respondent in accordance with law.

2. Accordingly, the Writ Petition stands dismissed as withdrawn. Liberty is given to the petitioner to challenge the order of recovery made by the second respondent in accordance with law. Consequently, connected Miscellaneous Petitions are closed. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

mra

To

1.The Secretary
Commercial Taxes and Registration Department
St. George Fort, Chennai.

2.The Assistant Commissioner(CT)
Cholavaram Assessment Circle,
Chennai-52.

3.The Branch Manager
HDFC Bank Main Branch
No.52/60 M.G. Road
Mumbai-400 001.

+1cc to Mr.R.Sathishkumar, Advocate, S.R.No.17097

+1cc to the Government Pleader, S.R.No.17615

Writ Petition No.3969 of 2015
and

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VSN(CO)
CA(28/03/2016)