

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2014

CORAM

THE HONOURABLE MR. R.K.AGRawal, THE CHIEF JUSTICE
and
THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

Writ Appeal No.790 of 2013
and
M.P.No.1 of 2013

M/s.Shoeline

MF-5, Developed Plots,
Industrial Plots, Ekkattuthangal,
Chennai-600 032, rep. by its
Proprietor, Mr.Manish Kawlra.

...Appellant/Petitioner

Vs

1. The Commissioner of Service Tax,
Now at Newry Towers (formerly "Sonex Towers"),
No.2054-I, II Avenue, Anna Nagar,
Chennai-600 040.
2. The Joint Commissioner of Service Tax,
Now at Newry Towers (formerly "Sonex Towers"),
No.2054-I, II Avenue, Anna Nagar, Chennai-600 040.
3. The Assistant Commissioner of Service Tax,
Service Tax III Division, Now at Newry Towers
(formerly "Sonex Towers"),
No.2054-I, II Avenue, Anna Nagar,
Chennai-600 040.
4. The Superintendent of Service Tax,
Group VIII, Service Tax III Division,
Now at Newry Towers (formerly "Sonex Towers"),
No.2054-I, II Avenue, Anna Nagar,
Chennai-600 040.

...Respondents/Respondents

Prayer:- Writ Appeal filed under Clause 15 of the Letters Patent against the order, dated 25.09.2012, made in W.P.No.5459 of 2012 presented under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records on the file of the respondents in proceedings in G.No.IV/9/167/2007-STC-ADJ (Order in Original No.12/2008) dated 27.02.2008 of the second

respondent and C.No.IV/16/326/2011 Misc-G-VIII dated 22.11.2011 of the fourth respondent and to quash the same and as well direct the third respondent to refund the sums collected illegally.

For Appellant : No representation

For Respondents : Mr.Rajasekar

J U D G M E N T

When the matter was taken up on 06.01.2014, there was no representation on behalf of the appellant and on the request of the counsel for the respondents, it was directed to be listed on 04.02.2014. Even on that day, when the matter was called, there was no representation on behalf of the appellant and hence, it was directed to be posted today under the caption, 'for dismissal'. Even today, again when the matter was taken up for hearing, there was no representation on behalf of the appellant.

2.In view of the above, the writ appeal is dismissed for non-prosecution. Connected M.P. is closed. No costs.

Sd/-

Assistant Registrar (CS-V)

Dated : 11.02.2014

//True Copy//

Sub Assistant Registrar

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To

1. The Commissioner of Service Tax,
Now at Newry Towers (formerly "Sonex Towers"),
No.2054-I, II Avenue,
Anna Nagar,
Chennai-600 040.
2. The Joint Commissioner of Service Tax,
Now at Newry Towers (formerly "Sonex Towers"),
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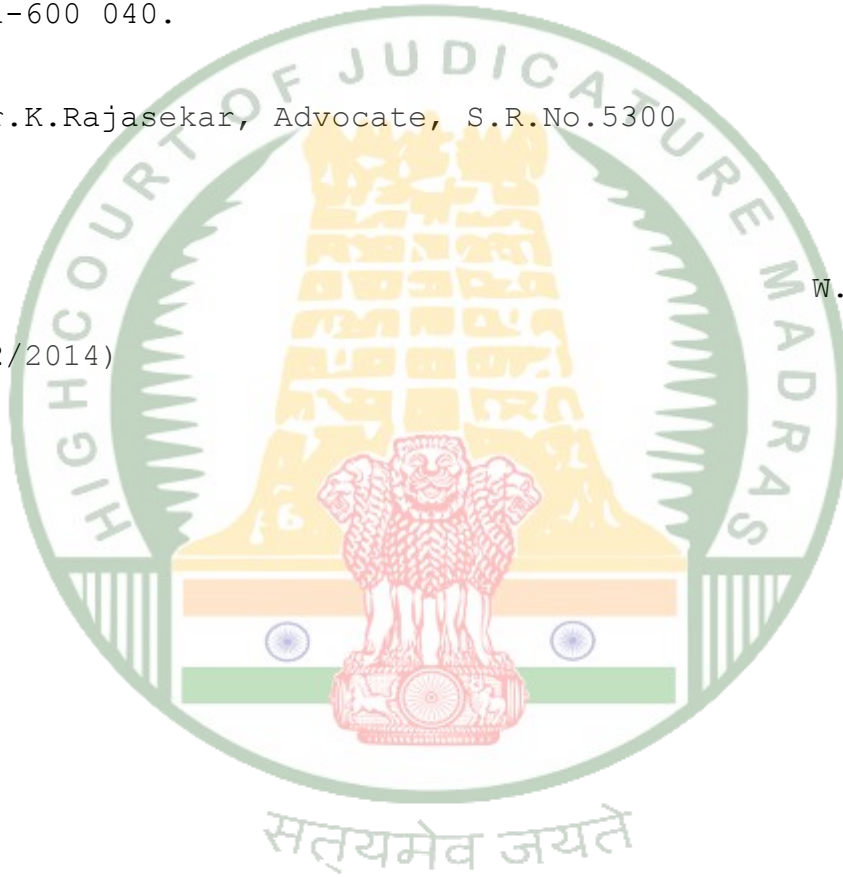
3. The Assistant Commissioner of Service Tax,
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4.The Superintendent of Service Tax,
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Now at Newry Towers (formerly "Sonex Towers"),
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Chennai-600 040.

1 CC to Mr.K.Rajasekar, Advocate, S.R.No.5300

NG (CO)
PSI (12/02/2014)

W.A.No.790 of 2013



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