

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2016

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THE HONOURABLE MR.JUSTICE RAJIV SHAKDHER

W.P.No.42423 of 2016

And

W.M.P.No.36304 of 2016

M/s.Santhi Processing Unit Private Limited
Rep. by its Managing Director – S.Duraisamy
... Petitioner

Vs.

The Commercial Tax Officer,
Periya Agraharam Circle,
Erode,
Erode District.
... Respondent

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records on the file of the Respondent in its impugned proceedings made in TIN: 33663076229 / 2014-15 dated 26.08.2016 quash the same and further direct the Respondent to allow the ITC claimed by the petitioner on the purchase of capital goods for the production of exempted goods to an extent of Rs.12,86,850/- (refund of claim in Form W relating to the month of April 2014; January 2015 & February 2015).

For Petitioner : Mr.R.Hemalatha
For Respondent : Mr.S.Kanmani Annamalai
Additional Government Pleader

(Taxes)

O R D E R

1.Dispense with application allowed subject to just exceptions.

2.Arguments heard.

3.Counsel for petitioner seeks to withdraw the captioned writ petition to avail of the statutory remedy.

4.Accordingly, the writ petition is dismissed as withdrawn, with liberty as prayed for. No costs.

5.Let the needful be done within two weeks from today.

6.The Registry is accordingly directed to return the original documents forthwith, after retaining attested copies of the documents.

09.12.2016

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Index: Yes/ No Internet: Yes/ No

Note: Issue order copy on 09.12.2016.

To

The Commercial Tax Officer,
Periya Agraharam Circle,

Erode,
Erode District.

RAJIV SHAKDHER,J.
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