

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.06.2016

CORAM

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

W.P.No.25198 of 2004

M/s.Hemalatha Mills Pvt. Ltd.,
rep by its Managing Director,
A.Kumarasamy,
5/1,Selvapuram,
Thennampalayam Extn.,
Behind Elementary School,
Tirupur-641 604. ... Petitioner

Vs.

- 1.State of Tamil Nadu,
rep by its Secretary,
Department of Religious Endowment
& Commercial Taxes,
Fort St. George,
Chennai.
- 2.The Deputy Commercial Tax Officer,
Palladam Assessment Circle,
Palladam. ... Respondents

The writ petition is filed under Article 226 of the Constitution of India praying for the issue of a writ of prohibition, prohibiting the respondents and their men from levying and collecting additional sales tax from the petitioner on exempted turnover, and in excess of the rates applicable for each slab under the Additional Sales Tax Act, 1970.

For Petitioner : Mr.R.Hemalathya

For Respondents : Mr.S.Kanmani Annamalai, AGP

ORDER

The petitioner has filed this writ petition seeking for the issue of a writ of prohibition, prohibiting the respondents from levying and collecting additional sales tax from the petitioner on exempted turnover and in excess of the rates applicable for each slab under the Additional Sales Tax Act, 1970.

2 The learned counsel on either side submit that the

issue raised in this writ petition is squarely covered by a decision of the Hon'ble Division Bench of this Court in Gangotri Textiles Ltd., R.S.Puram, Coimbatore Vs. State of Tamil Nadu and another [W.P.Nos.16180 of 2004, etc batch cases, dated 17.11.2006]. In view of the above, the writ petition is disposed of in terms of the above decision of the Division Bench of this Court. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

vvk

To

- 1.The Secretary,
State of Tamil Nadu,
Department of Religious Endowment
& Commercial Taxes,
Fort St. George,
Chennai.
- 2.The Deputy Commercial Tax Officer,
Palladam Assessment Circle,
Palladam.

+1cc to the Government Pleader, S.R.No.33529

KGK(CO)
EU(23/06/2016)

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