

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.06.2016

CORAM

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

W.P.No.26612 of 2004

M/s.DRS Industries Ltd.,
No.1321, Chandra,
Avanashi Road,
Peelamedu,
Coimbatore.

... Petitioner

Vs.

1. State of Tamil Nadu,
rep by its Secretary,
Hindu Religious Endowment
& Commercial Taxes Department,
Fort St. George, Chennai.

2. The Commercial Tax Officer,
Peelamedu North Asst. Circle,
Dr.Nanjappa Road,
Coimbatore.

.... 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.P.Rajkumar

For Respondents : Mr.S.Kanmani Annamalai,
Additional Government Pleader

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(J)

//True Copy//

Sub Assistant Registrar

vvk

To

1. The Secretary,
State of Tamil Nadu,
Hindu Religious Endowment
& Commercial Taxes Department,
Fort St. George,
Chennai.
2. The Commercial Tax Officer,
Peelamedu North Asst. Circle,
Dr.Nanjappa Road,
Coimbatore.

+1cc to Mr.P.Rajkumar, Advocate, S.R.No.33010

+1cc to the Special Government Pleader(T), S.R.No.33342

W.P.No.26612 of 2004

GJ(CO)
CA(27/06/2016)

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