

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 15.06.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.36585 of 2003

Indian Overseas Bank
rep. By its Senior Manager
Periyar Nagar Branch
Chennai 600 082

.. Petitioner

Vs

1.The Secretary to Government
Hindu Religious Endowment &
Commercial Taxes Department
Fort St.George, Chennai 600 009.

2.The Assistant Commissioner
Zone VIII,
Commercial Taxes Department
Greams Road, Chennai 600 006.

3.V.Moorthi

4.Rajeswari

.. Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, seeking for Writ of certiorari to call for the records in pursuance of the Notification issued by the second respondent published in Thiruvallur District Gazettee dated 01.10.2003, under Form 7 A, in respect of the defaulter Mr.V.Moorthi, the third respondent herein in respect of the land situated at S.No.147/1 and quash the same.

For Petitioner : No appearance

For Respondent : Mr.S.Kanmani Annamalai
Addl.Govt. Pleader

O R D E R

No appearance for the petitioner. Heard Mr.S.Kanmani Annamalai, learned Additional Government Pleader, appearing for the respondents 1 & 2.

2.The petitioner who is a Nationalised Bank has challenged the notification issued by the second respondent in the District Gazattee dated 01.10.2003, bringing for sale the

properties standing in the name of the third respondent, who is a defaulter under the provisions of the Tamil Nadu General Sales Tax Act.

3.From the records, it is seen that the Writ Petition has been dismissed as against respondents 3 & 4 vide order dated 05.08.2011. Therefore, unless and until the petitioner restores the Writ Petition as against the respondents 3 & 4, the matter cannot be proceeded with as against the respondents 1 & 2.

4.Accordingly, the Writ Petition stands closed, leaving it open to the petitioner to restore the Writ Petition as against the respondents, if so advised. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

Rpa

To

1.The Secretary to Government
Hindu Religious Endowment &
Commercial Taxes Department
Fort St.George, Chennai 600 009.

2.The Assistant Commissioner
Zone VIII,
Commercial Taxes Department
Greens Road, Chennai 600 006.

+1cc to the Government Pleader, S.R.No.33327

SVI (CO)
EU(4/07/2016)

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