

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 15.06.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No. 26836 of 2003 &
WPMP No.32777 of 2003

M.T.P.Abdul Rahim,
erstwhile partner
Golden Plastic Trading Company [PETITIONER]

Vs

- 1 The Deputy Commercial Tax Officer
Nethaji Salai Circle,
Madurai.
2. The Appellate Assistant Commissioner
(CT) North
Madurai.
- 3.The Special Duty Tahsildar
Revenue Recovery No.1,
Kannur, Kerala State.

[RESPONDENTS]

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of certiorari to call for the records relating to the Notices issued by the 3rd respondent in his notice No.D1-161\03-04\ST dated 18.07.2003 to quash the same.

For Petitioner : Mr.M.Md.Ibrahim Ali

For Respondents :Mr.S.Kanmani Annamalai R1 & R2
Additional Government Pleader

O R D E R

Heard Mr.M.Md.Ibrahim Ali, learned counsel appearing for the petitioner and Mr.S.Kanmani Annamalai, learned Additional Government Pleader, appearing for the respondents 1 & 2.

2.This Writ Petition has been filed by the petitioner challenging the restraint notice issued by the third

respondent, who is the Special Deputy Tahsildar, Revenue Recovery No.1, Kannur, Kerala State, dated 18.07.2003.

3.On account of the order of injunction granted by this Court, the impugned order was not given effect to. By efflux of time, nothing further survives for adjudication in the Writ Petition, as no counter affidavit has been filed for the third respondent.

4.Accordingly, the Writ Petition is disposed of by directing the third respondent not to give effect to the impugned notice. However, it is always open to the third respondent to proceed in accordance with law afresh. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

Rpa

To

- 1 The Deputy Commercial Tax Officer
Nethaji Salai Circle,
Madurai.
2. The Appellate Assistant Commissioner
(CT) North
Madurai.
- 3.The Special Duty Tahsildar
Revenue Recovery No.1,
Kannur, Kerala State.

+1cc to the Special Government Pleader Sr.33332
+1cc to Mr.M.D.Ibrahim Ali, Advocate Sr.32994

W.P.No. 26836 of 2003

pvs[co]
srg 12/08/2016