

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.6.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.28176 of 2004
and
W.P.M.P.No.34213 of 2004

The State of Tamil Nadu,
rep.by
The Deputy Commissioner(CT),
Coimbatore Division,
Coimbatore

... Petitioner

Vs.

1. Tvl.Cherry Blossom Clothing,
Tiruppur.
2. The Secretary,
The Tamil Nadu Sales Tax Appellate
Tribunal(Additional Bench),
Coimbatore

.... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of certiorari to call for the records on the files of the second respondent pertaining to the order dated 10.01.2003, made in C.T.No.323 of 2001 and quash the same as illegal.

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

For Respondents : No appearance

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ORDER

Heard Mrs.Kanmani Annamalai, learned Additional Government Pleader appearing for the petitioner.

2. Since the writ petition has already been dismissed as against the first respondent by order dated 12.12.2009, unless the writ petition is restored as against the first respondent, the same cannot be heard by hearing the second

respondent alone, which is the Sales Tax Appellate Tribunal. Therefore, the writ petition as against the second respondent also is closed, leaving it open to the petitioner to file application for restoration of the writ petition against both the respondents. If such application is filed, the Registry is directed to entertain the same, without insisting for any condonation delay petition and list before this Court for orders. No costs. Connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

msk

To

1.The Secretary,
Tamil Nadu Sales Tax Appellate
Tribunal(Additional Bench),
Coimbatore.

2.The Section Officer,
Writ Section,
High Court, Madras.

W.P.No.28176 of 2004

AD(CO)
CA(12/07/2016)

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