

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2017

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.4840 of 2011

Adaptavant Technology Solutions Pvt Ltd.,
Rep. By its Manager - Administration & Human
Resources, G.Velmurugan, (Authorised Signatory),
No.4, Kuppu Arcade, Venkatanarayana Road,
Chennai - 600 017. ... Petitioner

Vs.

1. Commissioner of Service Tax,
M.H.U.Complex, 692, Anna Salai,
Nandanam, Chennai - 600 035.
2. Assistant Commissioner of Service Tax,
Chennai-II Division, Ananda Office Centre,
459, Anna Salai, Chennai - 600 018.
3. The Commissioner (Appeals),
Office of the Commissioner of Central
Excise (Appeal), 26/1, Mahatma Gandhi Road,
Chennai - 600 034. ... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a writ of certiorarified mandamus calling for the records in Order-In-Appeal No.230/2010 (MST) dated 16.12.2010 passed by the third respondent and the order in Original No.52/2009 (R) dated 31.12.2009 passed by the second respondent and to quash the same and to direct the respondents to issue refund due to the petitioner company.

For Petitioner : Mr.Joseph Prabakar

For Respondents : Mrs.Hema Murlaikrishnan

O R D E R

Heard Mr.Joseph Prabakar, learned counsel for the petitioner and Mrs.Hema Muralikrishnan, learned Senior Standing Counsel for the respondents.

2. Learned counsel on either side submitted that the issue involved in this writ petition is squarely covered by the decision of the Hon'ble Division Bench of this Court in the case of "Commissioner of Service Tax-III, Chennai Vs. 1.Customs, Excise & Service Tax Appellate Tribunal, Chennai, 2.M/s Scioinspire Consulting Services (India) Pvt., Ltd. reported in 2017-VIL-216-MAD-ST"

3. In the light of the above, this writ petition is allowed.
No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

abr

To

1. Commissioner of Service Tax,
M.H.U.Complex, 692, Anna Salai,
Nandanam, Chennai - 600 035.
2. Assistant Commissioner of Service Tax,
Chennai-II Division, Ananda Office Centre,
459, Anna Salai, Chennai - 600 018.
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Office of the Commissioner of Central
Excise (Appeal), 26/1, Mahatma Gandhi Road,
Chennai - 600 034.

+1cc to Mr.Joseph Prabakar, Advocate, S.R.No.50583

+1cc to Mrs.Hema Murlaikrishnan, Advocate, S.R.No.50363

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KJ(CO)
CS/11/08/17