

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.02.2017

CORAM:

THE HONOURABLE MR. JUSTICE RAJIV SHAKDHER

W.P.No.37707 of 2015

and M.P.No.1 of 2015

M/s.VXL Systems,
rep by its Partner D.Uma,
59, Sidco Industrial Estate,
Kurichi, Coimbatore - 21. ... Petitioner

vs.

1.The State of Tamil Nadu
rep by the Secretary to Government,
Commercial Taxes and Registration Department,
Fort St.George, Chennai - 9.

2.The Commercial Tax Officer,
Podanur Assessment Circle,
Commercial Taxes Building,
Dr.Balasundaram Road,
Coimbatore - 18. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a writ of certiorarified Mandamus calling for the records on the file of the 2nd respondent in TIN 33731800592/2013-14 dated 28.10.2015 and to quash the same and direct the 2nd respondent not to apply the proviso to Section 19(2)(v) of the Tamil Nadu Value Added Tax Act to the petitioner herein inasmuch as the petitioner is a manufacturer of goods in the State of Tamil Nadu.

For Petitioner : Mr.S.Ramanathan

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

O R D E R

1. Learned counsel for the parties have agreed that the issue raised in the captioned Writ Petition is covered by a judgment of this Court dated 06.02.2017, passed in a batch of Writ Petitions, the lead Writ Petition being: W.P.No.7969 of 2014, titled: M/s.Everest Industries Limited, rep. by its Senior Manager, Finance V. The State of Tamil Nadu, rep. by its Secretary, Commercial Taxes Department and another.

2. Accordingly, the Writ Petition is allowed and the impugned order is set aside, in terms of the judgment delivered in the aforementioned batch of Writ Petitions.

3. Resultantly, the connected Miscellaneous Petition is closed. However, there shall be no order as to costs.

-sd/-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1.The Secretary to Government,
State of Tamil Nadu,
Commercial Taxes and Registration Department,
Fort St.George, Chennai - 9.

2.The Commercial Tax Officer,
Podanur Assessment Circle,
Commercial Taxes Building,
Dr.Balasundaram Road, Coimbatore - 18.

+ 1 cc to Mr.S.Ramanathan, Advocate SR.NO.8625

+ 1 cc to Special Government Pleader [Taxes]sr.8833

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TM[CO]
RR 01/03/2017

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