

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.07.2017

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.11342 of 2004

Elgi Electric and Industries Limited,
Elgi Towers,
No.737 D, Green Fields,
Puliankulam Road,
Coimbtore 641 045
Rep by its Authorised Signatory
B.K.Ravikumar

.... Petitioner

Vs.

1.The Commercial Tax Officer,
Trichy Road Circle,
Coimbatore 641 018.

2.The Principal Commissioner and
Commissioner of Commercial Taxes,
Ezhilagam, Chepauk,
Chennai - 600 005.
Respondents

...

Prayer: Petition filed under Article 226 of the Constitution of India to issue a WRIT OF CERTIORARI FID MANDAMUS, calling for the records comprised in the proceedings of the 1st respondent dated 16.12.2002 under reference No.3990/2002/A4 as confirmed in the proceedings of the 2nd respondent in K.Dis.Lr.No.Q2/89637/2002 dated 30.05.2003 and quash the same as arbitrary, illegal and unconstitutional and issue a Mandamus, directing the respondents to forthwith refund the sum of Rs.38,32,280/- wrongfully collected from the petitioner with interest at the rate as per Sec.24(3) of the TNGST Act (2% per month) from the date of payment till the date of realization or adjust the same against future dues of petitioner towards sales tax arrears under the TNGST Act.

For Petitioner : Mr.Rahul Balaji

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

O R D E R

The learned counsel appearing for the petitioner submits that during the pendency of the writ petition, the issue involved in the writ petition has been settled between the petitioner and the respondents Department and therefore, it is reported that the writ petition has become infructuous.

2. Recording the said statement, this writ petition stands dismissed as infructuous. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

VSM

To

- 1.The Commercial Tax Officer,
Trichy Road Circle,
Coimbatore 641 018.
- 2.The Principal Commissioner and
Commissioner of Commercial Taxes,
Ezhilagam, Chepauk,
Chennai - 600 005.

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KJI (CO)
GN(03/08/2017)

सत्यमेव जयते

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