

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2017

CORAM

THE HONOURABLE Mr. JUSTICE T.S.SIVAGNANAM

W.P.No.21849 of 2004
and
W.P.M.P.No.26407 of 2004

Siva Granite Products,
Rep. By its Partner,
P.Narrendran,
No.11, Ramakrishna Road,
Salem 636 007.

... Petitioner

Vs.

1.Commercial Tax Officer,
Salem North, Salem.

2.The Appellate Asst. Commissioner (CT),
Salem.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to forbear the respondents from taking any recovery proceedings by coercive methods for recovery of tax and penalty for the assessment year 1997-98 pending disposal of the Original Petition No.28/2004 before the Tamil Nadu Taxation Special Tribunal.

For Petitioner : Mr.M.Md.Ibrahim Ali

For Respondents : Mr.K.Venkatesh

Government Advocate

ORDER

The writ petition has been filed for issuance of writ of mandamus to forbear the respondents from taking any recovery proceedings by coercive methods for recovery of tax and penalty for the assessment year 1997-1998 pending disposal of the Original Petition No.28/2004 before the Tamil Nadu Taxation Special Tribunal.

2.The learned Government Advocate has produced the files which shows that the appeal petition filed by the petitioner has been returned on the ground that the mandatory pre-deposit has

not been paid. That apart, when the writ petition was admitted, no interim order was granted and as on date, the prayer sought for has virtually become infructuous. Therefore, the Writ Petition is closed, leaving it open to the petitioner to workout their remedies in accordance with law. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-
Asst.Registrar (CS VIII)

/true copy/

Sub Asst. Registrar

Sgl

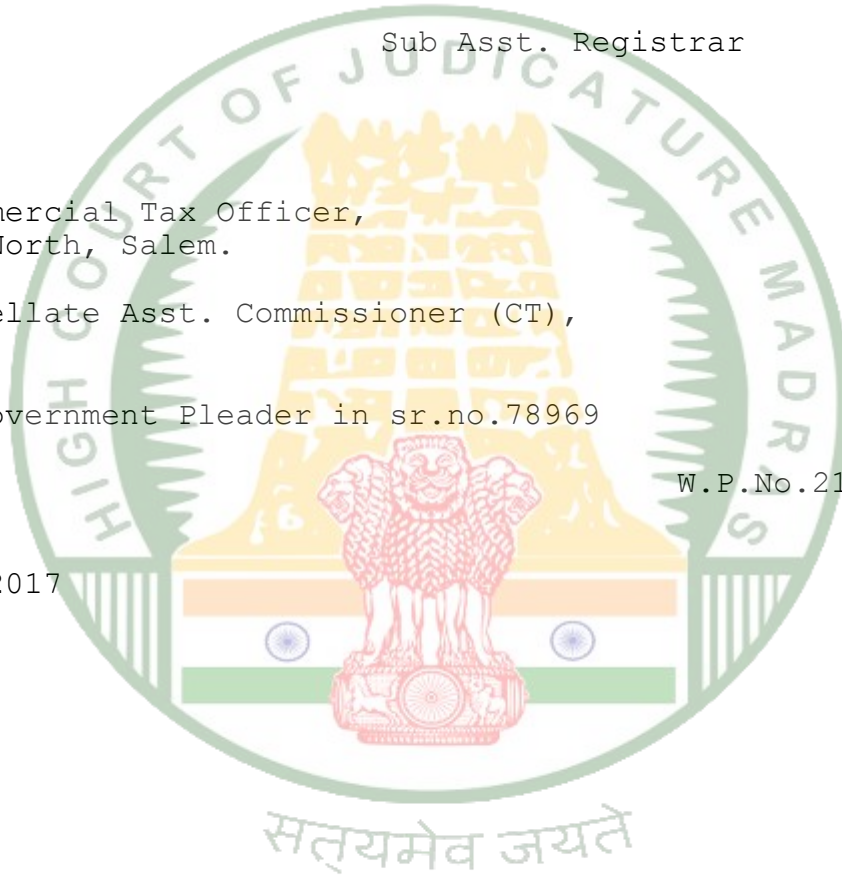
To

- 1.The Commercial Tax Officer,
Salem North, Salem.
- 2.The Appellate Asst. Commissioner (CT),
Salem.

+1cc to Government Pleader in sr.no.78969

W.P.No.21849 of 2004

CP(CO)
NR 28/11/2017



WEB COPY