

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 09.02.2017

Coram

The Honourable Mr.JUSTICE RAJIV SHAKDHER

Writ Petition No.33151 of 2016
and WMP Nos.28668 and 28669 of 2016

Tvl.Speed Exports,
Rep. by its Proprietor,
No.4, Lalakutty Street, Periamet,
Chennai-600 003. Petitioner

Vs

1. The State of Tamil Nadu
rep. by the Secretary to Government,
Commercial Taxes and Registration Department,
Fort St. George,
Chennai-600 009.
2. The Commercial Tax Officer,
Vepery Assessment Circle,
No.10, Greams Road,
Chennai-600 006. Respondents

* * *

Prayer : PETITION filed under Section 226 of The Constitution of India praying for the issuance of Writ of Certiorarified mandamus, or any other appropriate, writ, order or direction, in the nature of writ, by calling for the records of the second respondent in CST 871116/2014-15, dated 01.08.2016, and quash the same as illegal and direct the second respondent not to apply the proviso to Section 19(2)(v) of the Tamil Nadu Value Added Tax Act r/w Section 9(2) of the CST Act to the petitioner herein as much as further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

For Petitioner : Mr.R.Ganesh Kanna

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 the 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 Petitions are closed. However, there shall be no order as to costs.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1. The Secretary to Government,
Commercial Taxes and Registration Department,
Government of Tamil Nadu, Fort St. George,
Chennai-600 009.
 2. The Commercial Tax Officer,
Vepery Assessment Circle,
No.10, Greams Road,
Chennai-600 006.
- + 1 cc to The Spl. Govt. Pleader, SR 8613
+ 1 cc to Mr. A. Ravichandran, Advocate, SR 8781

सत्यमेव जयते

WP No.33151 of 2016
& WMP Nos.28668 & 28669 of 2016

RJ(co)
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