

In the High Court of Judicature at Madras

Dated: 13.02.2017

Coram

The Honourable Mr.JUSTICE RAJIV SHAKDHER

Writ Petition No.35534 of 2016
and WMP 30547 of 2016

1 M/s.Hindustan Cans Ltd
Rep by its Director No.32 Kilmanam Medu
Vellavedu Post Thirumazhisai-600 124
..... Petitioner

Vs

1 The State of Tamil Nadu
Rep by its Secretary Commercial Taxes
Department Fort St. George Chennai
2 The Assistant Commissioner(CT)
Tiruvallur Assessment Circle Tiruvallur
..... Respondents

PETITION filed under Article 226 of The Constitution of India praying for the issuance of Writ of Certiorarified Mandamus calling for the records of the second respondent in his proceedings in TIN/33851669770 /2013-14 quash the notice dt. 14.09.2016 issued therein and further direct the second respondent not to apply Sec.2(1) of the Tamil Nadu Value Added Tax (Fifth Amendment) Act 2013 to the petitioner herein in as much as the petitioner is a manufacturer of goods in the State of Tamil Nadu.

For Petitioner : Mr.P.V.Sudakar
For Respondents : Mr.K.Venkatesh, G.A.

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.

s/d-
Assistant Registrar (CS-V)

//True Copy//

Sub-Assistant Registrar

To

1 The Secretary to Government
The State of Tamil Nadu Commercial Taxes
Department Fort St. George Chennai

2 The Assistant Commissioner (CT)
Tiruvallur Assessment Circle Tiruvallur

+1 CC to Mr. P.V. Sudakar, Advocate sr 9775

+1 CC to The Spl. Govt. Pleader sr 9599

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RJ (CO)
sp/24/2

सत्यमेव जयते

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