

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 05.07.2017

CORAM

THE HON'BLE MRS.JUSTICE T.S.SIVAGNANAM

W.P.No.28604 of 2004
and
W.P.M.P.No.34727 of 2004

The State of Tamil Nadu,
Represented by
The Deputy Commissioner (CT),
Coimbatore Division.

... Petitioner

Vs.

1. Tvl.Cherry Blossom Clothing,
Tiruppur.
2. The Secretary,
The Tamil Nadu Sales Tax Appellate
Tribunal (Additional Bench)
Coimbatore.

.... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari, calling for the records on the files of the second respondent pertaining to the order dated 10.01.2003 made in C.T.A.No.321 of 2001, and quash the same.

For Petitioner : Mr.S.Kanmani Annamalai
Additional Government Pleader
(Tax)

For Respondents : No appearance

ORDER

This Writ Petition has been filed challenging the order passed by the Tamil Nadu Sales Tax Appellate Tribunal, in C.T.A.No.322 of 2001, dated 10.01.2003.

2. The contesting respondent, is the first respondent, against whom, the Writ Petition has been dismissed for non payment of batta. Therefore, unless, the Writ Petition is restored as against the first respondent, the Court cannot

adjudicate the correctness of the impugned order. Hence, the Writ Petition is closed, giving liberty to the Revenue Department to file a Petition for restoration. If any Restoration Petition is filed, Registry is directed to list the matter before the Court, without insisting upon the copy of the Petition being served on the first respondent, or insisting upon the first respondent to file a Petition for condonation of delay. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

sd

To

The Secretary,
The Tamil Nadu Sales Tax Appellate
Tribunal (Additional Bench),
Coimbatore.

Copy To

- 1.The Deputy Commissioner(CT),
Coimbatore Division.
- 2.The Section Officer,
Writ Section,
High Court, Madras.

W.P.No.28604 of 2004

MG(CO)
CA(24/07/2017)

WEB COPY