

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 05.12.2018

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.34166 & 34167 of 2003

SCV

(a Division of Sun TV Private Limited)
No.1, Lynwood Lane, Mahalingupuram,
Madhavan Nair Road,
Chennai - 600 034.

...Petitioner in W.P.No.34166 of 2003

Gemini Television Private Limited No.2,
Sarangapani Street,
T.Nagar, Chennai - 600 017.

...Petitioner in W.P.No.34167 of 2003

..Vs..

1. The Secretary Commercial Tax Department,
Government of Tamil Nadu,
Chennai - 600 001.

2. Entertainment Officer,
Commercial Tax Office,
Valluvarkottam Assessment Circle No.621,
Anna Salai, Sire Mansion,
Chennai - 600 006.

3. Entertainment Tax Office,
Sales Tax Office,
P.N.Palayam Circle, Coimbatore - 18.

4. Commercial Tax Officer,
Tallakulam Assessment Circle,
Madurai - 625 020.

.. Respondents W.P.No.34166 of 2003

1.The Secretary Commercial Tax Department,
Government of Tamil Nadu,
Chennai - 600 001.

2.Entertainment Officer,
Commercial Tax Office,
Valluvarkottam Assessment Circle No.621,
Anna Salai, Sire Mansion,
Chennai - 600 006.

3. Commercial Tax Officer,
Tallakulam Assessment Circle,
Madurai - 625 020.

.. Respondents W.P.No.34167 of 2003

Common Prayer: Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Prohibition, prohibiting the respondents herein from levying and collecting entertainment tax from the petitioner pursuant to the notices already issued.

For Petitioner : Mr.R.Senthil Kumar in both WPs

For Respondents: Mrs.G.Dhana Madhri
Government Advocate in both WPs

COMMON ORDER

The lis on hand is for a writ of prohibition to prohibit the respondents from levying and collecting entertainment tax from the petitioners pursuant to the notices already issued.

2. The learned counsel for the writ petitioners argued the merits of the cases for some time. The learned counsel for the respondents intervened and informed this Court that the Government has already issued G.O.Ms.No. 34, from Commissioner of Commercial Taxes, dated 27.03.2008 granting exemption from the payment of tax from Cable TV by invoking the Tamil Nadu Entertainments Tax Act, 1939. This apart, another order was passed in G.O.Ms.No. 126, Commercial Taxes and Registration Department, dated 19.12.2008 granting waiver of entertainment tax arrears and penalty amounting to Rs.20,13,94,694/- payable by the Cable TV Operators as on 31.03.2008.

3. In view of the Government Orders passed during the year 2008, the cause aroused for the purpose of filing the present writ petitions became vanished. Thus, no further adjudication needs to be entertained in respect of the grounds raised in the present writ petitions.

4. Accordingly, the present writ petitions stands closed.
No costs
pns

Sd/-

Assistant Registrar(CS VIII)

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Sub Assistant Registrar

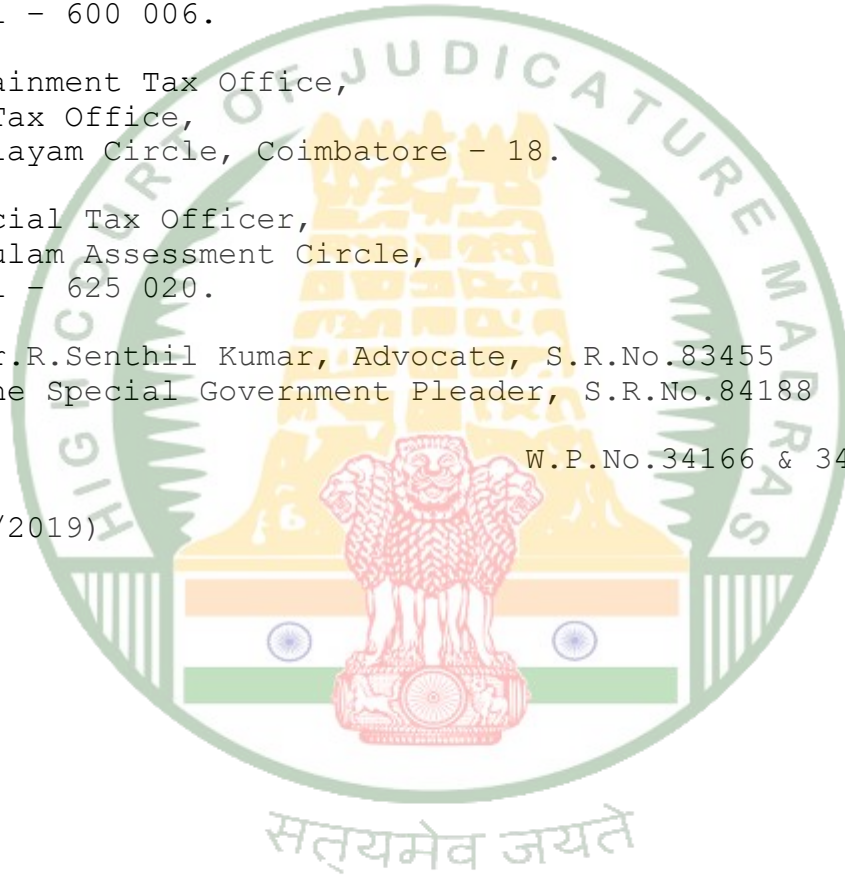
To

1. The Secretary Commercial Tax Department,
Government of Tamil Nadu,
Chennai - 600 001.
2. Entertainment Officer,
Commercial Tax Office,
Valluvarkottam Assessment Circle No.621,
Anna Salai, Sire Mansion,
Chennai - 600 006.
3. Entertainment Tax Office,
Sales Tax Office,
P.N.Palayam Circle, Coimbatore - 18.
4. Commercial Tax Officer,
Tallakulam Assessment Circle,
Madurai - 625 020.

+1cc to Mr.R.Senthil Kumar, Advocate, S.R.No.83455
+1cc to the Special Government Pleader, S.R.No.84188

W.P.No.34166 & 34167 of 2003

pvs (co)
kak(07/01/2019)



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