

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2018

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.28772 of 2010

and

MP.No.1 of 2010

M/s.F.M.Sales & Marketing
represented by its Proprietor
Ramesh Kumar M.Jain

... Petitioner

Vs

1.The State of Tamil Nadu represented by its
Secretary, Commercial Taxes Department,
Fort St. George,
Chennai - 600 009.

2.The Commissioner of Commercial Taxes,
2nd Floor, Ezhilagam,
Chennai - 600 005.

3.The Joint Commissioner (Enforcement Wing)
(Central), Greams Road,
Chennai - 600 006.

4.The Commercial Tax Officer,
Roving Squad -III
Enforcement (Central)
Chennai - 600 006.

5.The Commercial Tax Officer,
Vallalarnagar Assessment Circle,
Second Line Beach,
Angappa Naicken Street,
Chennai - 600 001.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records on the files of the fourth respondent in G.D.No.50/R.S-III/2010-11 dated 09.12.2010 and quash the same as being contrary to the notification issued by the Government of Tamil Nadu in G.O.Ms.No.149 dated 12.10.2009 and contrary to the order passed by the revisional authority in R.P.No.11/2010 dated 5.6.2010.

For Petitioner : Mr.R.Senniappan
For R1 to R5 : Mr.M.Hariharan, AGP

ORDER

The petitioner has come up with the present writ petition to quash the order dated 09.12.2010 passed by the fourth respondent in G.D.No.50/RS-III/2010-11 and direct the respondent to release the detained goods.

2.When the matter was taken up for consideration, the learned counsel for the petitioner, on instructions, submitted that the relief sought for herein has become infructuous and hence, nothing survives for adjudication in this writ petition. However, the learned counsel submitted that the petitioner may be given liberty to approach the authority concerned for any other relief.

3.In view of the submission so made by the learned counsel for the petitioner, liberty is granted and this writ petition stands closed. No costs. Consequently, connected Miscellaneous Petition is also closed.

Sd/-
Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Secretary to Government,
Commercial Taxes Department,
Fort St. George,
Chennai - 600 009.
- 2.The Commissioner of Commercial Taxes,
2nd Floor, Ezhilagam,
Chennai - 600 005.
- 3.The Joint Commissioner (Enforcement Wing)
(Central), Greams Road,
Chennai - 600 006.

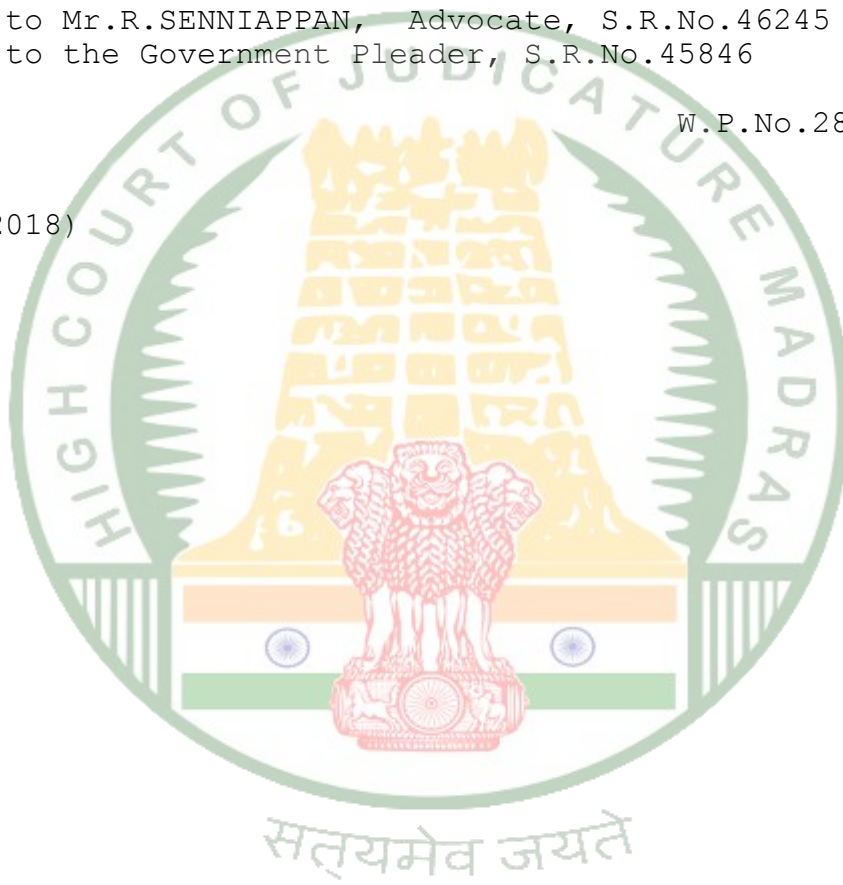
4.The Commercial Tax Officer,
Roving Squad -III
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Chennai - 600 006.

5.The Commercial Tax Officer,
Vallalarnagar Assessment Circle,
Second Line Beach,
Angappa Naicken Street,
Chennai - 600 001.

+1cc to Mr.R.SENNIAPPAN, Advocate, S.R.No.46245
+1cc to the Government Pleader, S.R.No.45846

W.P.No.28772 of 2010

TR(24/07/2018)



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