

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.11.2018

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.30788 of 2018
in
W.M.P.No.35928 of 2018

Dalmia Cement (Bharat) Limited
Represented by Sri.R.Gururajan
Deputy Executive Director-Finance
Dalmiapuram.

..Petitioner

vs.

The Additional Chief Secretary/
Commissioner of State Taxes
Chepauk, Chennai-600 005.

.. Respondent

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records on the files of the respondent herein in Act Cell-IV/31127/2017 dated 12.09.2018 and quash the same as illegal and plainly opposed to and contrary to the principles laid down by this Hon'ble Court in its common order dated 26.10.2018 passed in WP.Nos.19458 to 19460 of 2018 and others and direct the respondent herein to permit the petitioner to download C Form for the purpose of purchasing High Speed Diesel Oil for use in their mining operations.

For Petitioner :Mr.Parthasarathy,
for Mr.N.Inbarajan
For Respondent : Mr.M.Hariharan,
Additional Government Pleader

ORDER

Mr.M.Hariharan, learned Additional Government Pleader takes notice for the respondents. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner is aggrieved against the proceedings of the respondent dated 12.09.2018 and consequently, seeking a

direction to the respondent to issue "C" declaration forms under the Central Sales Tax Act, 1956 to the petitioner for the purpose of purchasing High Speed Diesel Oil for using in their mining operations.

3. Challenging the very same proceedings, several other writ petitions were filed before this Court and the same was disposed of by a common order dated 26.10.2018 in W.P.Nos.19458 to 19460 of 2018 etc. batch, by setting aside the above said proceedings.

4. Accordingly, this writ petition is also allowed and the impugned proceedings is set aside. Consequently, the respondent is directed to permit this petitioner to download 'C' form, as has been done in the past for the purpose of purchasing petroleum products against the issuance of 'C' declaration forms. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

mk

To

1.The Additional Chief Secretary/
Commissioner of State Taxes
Chepauk, Chennai-600 005.

+1cc to Mr.N.Inbarajan, Advocate, S.R.No.79374

+1cc to the Spl Government Pleader, S.R.No.80126

सत्यमेव जयते

W.P.No.30788 of 2018

GSP (03/12/2018)

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