

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.12.2018

CORAM :

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.32428 of 2018

M/s.The India Cements Limited
Represented by Authorised Signatory
Coromandel Towers
No.93, Santhome High Road,
Karpagam Avenue,
Raja Annamalaipuram
Chennai-600 028.

..Petitioner

vs.

1.The State of Tamil Nadu
Represented by the Secretary to Government
Commercial Taxes Department
Fort St.George,
Chennai-600 001.

2.The Commissioner & Commercial Taxes
Office of the Commissioner of Commercial Taxes, TN
Ezhilagam, Chepauk
Chennai-600 005.

3.The Joint Commissioner (CT)
Large Tax Payers Unit, Vth Floor
Dugar Towers, No.34, Marshalls Road,
Egmore, Chennai-600 008.

4.The Deputy Commissioner (CT-II)
Large Tax Payers Unit, Vth Floor,
Dugar Towers, No.34, Marshalls Road,
Egmore, Chennai-600 008.

.. Respondents

Writ Petition filed under Article 226 of the
Constitution of India praying to issue a Writ of Mandamus,
directing the 3rd and 4th respondent to issue Form "C" under the
Central Sales Tax Act, 1956 for purchase of High Speed Diesel.

For Petitioner : M/s.Radhika Chandra Sekhar

For Respondents : Mr.V.Haribabu
Additional Government Pleader (T)

O R D E R

Mr.V.Haribabu, 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 seeks for mandamus directing the respondents to issue "C" forms under the Central Sales Tax Act, 1956 to the petitioner for the purchase of High Speed Diesel.

3. Considering the very same issue, 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 proceedings therein.

4. Accordingly, this writ petition is also allowed in terms of the order passed by this Court in W.P.Nos.19458 to 19460 of 2018 etc. batch. Consequently, the respondents are 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.

mk

Sd/-
Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

सत्यमेव जयते

To

- 1.The Secretary to Government
Commercial Taxes Department
Fort St.George, Chennai-600 001.
- 2.The Commissioner & Commercial Taxes
Office of the Commissioner of Commercial Taxes, TN
Ezhilagam, Chepauk, Chennai-600 005.
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+1cc to Mr.K.Vaitheeswaran, Advocate, S.R.No.83798
+1cc to the Special Government Pleader (Taxes), S.R.No.84687

W.P.No.32428/2018

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



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