



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Dated : 09.08.2018

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THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA
AND
THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI

W.A.(MD)Nos.871 to 874 of 2013
and
M.P(MD)No.1 of 2013(In all W.As)

M/s.Enness Engineering Corporation,
Represented by its Proprietor N.Saba Rathinam

.. Appellant in all W.As/Petitioner/Petitioner

Vs.

The Commercial Tax Officer,
Kamarajar Salai Assessment Circle,
Dr.Thangaraj Salai,
Madurai - 20.

.. Respondent in all W.As/Respondent/Respondent

Common Prayer : Writ Appeals filed under Section 15 of Letters Patent, to set aside the order of the learned Judge passed in M.P(MD)Nos.1,1,1 and 1 of 2013 in W.P(MD)Nos.11602, 11603, 11605 and 11604 of 2013 dated 22.07.2013 respectively.

COMMON PRAYER in WP(MD)Nos. 11602, 11603,11604/ 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records in TIN 33284821759/2007-08, 2008-09,2010-11;and 2009-10 respectively dated 05/06/2013 on the file of the repsondent and quash the same as illegal, arbitrary and against law and direct the respondent to pass assessment order afresh after affording the opportunity of personal hearing .

(In All Writ Appeals)

For Appellant : Mr.S.Karunakar

<https://hcservices.ecourts.gov.in/hcservices/>
For Respondent : Mr.J.Padmavathi Devi,
Special Government Pleader

**COMMON JUDGMENT**

**[Judgment of the Court was delivered by
PUSHPA SATHYANARAYANA, J.]**

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These writ appeals are filed against the interim order of stay granted in M.P(MD)Nos.1, 1, 1 and 1 of 2013 in W.P(MD)Nos.11602, 11603, 11605 and 11604 of 2013 dated 22.07.2013, directing the appellant/petitioner to pay 50% of the demanded amount, for the assessment years 2007-2008, 2008- 2009, 2009 - 2010, 2010 - 2011, within a period of two weeks from the date of receipt of a copy of the order, as a condition for such stay.

2. The said order is now challenged and while admitting the writ appeals, the Division Bench, vide order dated 16.08.2013, had modified the condition that the appellant, deposits a sum of Rs.5,00,000/-, which is only 25% of the impugned demand for each of the assessment year, to the respondent, within a period of two weeks from that date.

3. The learned counsel appearing for the appellant states that the said conditional order has been complied with and therefore, nothing survives in this writ appeal.

4. In view of the same, the writ appeals are disposed of. The Registry is directed to list the writ petitions for hearing in the usual course. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar(CS-IV)

To:

The Commercial Tax Officer,
Kamarajar Salai Assessment Circle,
Dr.Thangaraj Salai,Madurai - 20.

+1CC to Mr.S.Karunakar, Advocate, SR.No. 77849

+1CC to the Special Government Pleader SR.No. 77932

W.A. (MD)Nos.871 to 874 of 2013
09.08.2018