

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.11.2019

CORAM :

THE HON'BLE DR.JUSTICE VINEET KOTHARI
AND
THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.No.24681 of 2002 and
WMP.No.33934 of 2002

The State of Tamil Nadu
Represented by
The Deputy Commissioner (CT),
Chennai (North) Division,
Chennai-600 006. ... Petitioner

-vs-

1.Tvl.Kapil Agencies,
72, Sembudoss Street,
Madras-1.
2. The Secretary,
The Tamil Nadu Sales Tax Appellate
Tribunal (Main Bench),
Chennai-104. ... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorari to call for the records on the files of the Second Respondent pertaining to the order dated 25.05.1998 made in T.A.No.70 of 1988 and quash the same as illegal.

For Petitioner : Ms.Dhanamadhiri
Government Advocate (T)

For Respondents : Mr.Pramod Kumar Chopda (R1)

ORDER

(Order of the Court was made by DR.VINEET KOTHARI,J.

This Writ Petition has been filed by the Revenue calling in question the correctness of the order passed by the Tamil Nadu Sales Tax Appellate Tribunal (Main Branch) Chennai-104 dated 25.05.1998, in T.A.No.70/1988.

2. When the matter is taken up for hearing, the learned Government Advocate appearing for the Department brought to our notice the Circular instruction issued by the Commissioner of Commercial Taxes, Chepauk, Chennai - 5 vide Circular No.1/2019, dated 05th August, 2019, wherein, it is stipulated that Writ Petition shall not be filed/pursued by the Department before the High Court in cases where the tax effect does not exceed Rs.5,00,000/- (Rupees Five Lakhs only). Therefore, the learned Government Advocate seeks permission of this Court to withdraw this Writ Petition. She has also made an endorsement to that effect.

3. In the instant case, the tax effect is said to be less than the monetary limit imposed and, therefore, the Writ Petition filed by the Revenue is dismissed, as withdrawn. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-VIII)

// True Copy//

Sub Assistant Registrar

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To:

The Secretary,
The Tamil Nadu Sales Tax Appellate
Tribunal (Main Bench),
Chennai-104.

+1cc to Government Pleader, SR.No.94234.

VGI (CO)

CSR: 10/01/2020

सत्यमेव जयते

W.P.No.24681 of 2002

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