

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.02.2019

CORAM :

THE HON'BLE MRS.V.K.TAHILRAMANI, CHIEF JUSTICE

AND

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P. Nos.198 and 199 of 2009

M.P.Nos. 1 & 2 of 2009 in

W.P.No.198 of 2009

Dhir & Dhir Asset Reconstruction and
Securitisation Company Limited
D-54, (First Floor) Defence Colonyh
New Delhi - 110 024
Represented by its General Manager
Mr.Ravi Kuamr .. Petitioner in both WPs

vs.

1.The Deputy Commissioner
Commercial Taxes
Greams Road
Zone-VIII
Chennai - 600 008

2. State of Tamil Nadu
Through Secretary
Commercial Taxes
Fort St. George
Chennai - 600 009

3.Union of India
Through Secretary
Ministry of Finance
Department of Financial Services
(Banking Division)
Jeewan Deep, Parliament Street
New Delhi - 110 001

4. Official Liquidator of
M/s.Madras Petrochem Limited
5th Floor, Bank of India Building
Mahatma Gandhi Road, Mumbai, 400 023

5. Kotak Mahindra Bank Limited
No.39, Ceebros Centre, 1st Floor
Monteith Road, Egmore
Chennai - 600 008
6. Central Bank of India
Asstt General Manager
Central Bank of India
Chennai Main Branch
11, Second Line Beach
Chennai - 600 001
7. Standard Chartered Bank
Senior Relationship Manager
Standard Chartered Bank
10, Rajaji Salai
7th Floor, Chennai - 600 001
8. Tamil Nadu Industrial Investment Corporation
473, Anna Salai
Nandanam, Chennai - 600 035 ... Respondents in both WPs

W.P.No.198/2009 : Writ Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified mandamus to call for the records of the first respondent culminating in passing of the Auction Notices in File No. RC.6016/01/A7 in Form No.7, dated 03.12.2008 and continued in Form No.5, dated 04.12.2008 and quash the same and consequently direct the respondent No.1 not to proceed further with the assets of Madras Petrochemicals limited.

W.P.No.199/2009 : Writ Petition filed under Article 226 of the Constitution of India praying for issue of Writ of declaration declaring that sub sections (1) and (2) of Section 24 of the Tamil Nadu General Sales Tax Act, 1959 (Tamil Nadu Value Added Tax Act) are inconsistent with and repugnant to Sections 9, 13 and 15 and the general scheme of Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest act, 2002 (Act 54 of 2002) and the Rules made thereunder and hence rendered inoperative by section 35 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest act, 2002 (Act 54 of 2002).

For Petitioner : Mr..A.R.Ramanathan

For Respondents : Mr.K.Srinivasa Murthy - for R3
Not Ready in Notice - R1.,R2,R4,R5,R6&R8
No appearance - for R7

COMMON ORDER

(Order of the Court made by The Hon'ble Chief Justice)

Learned counsel for the petitioner states that the Writ Petitions have become infructuous. He has also made an endorsement to the said effect.

3. In view of the same, the Writ Petitions are dismissed as infructuous, No costs. Consequently, connected miscellaneous petitions are also dismissed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

Rj

To

- 1.The Deputy Commissioner
Commercial Taxes
Greams Road
Zone-VIII
Chennai - 600 008
2. The Secretary
Commercial Taxes
Fort St. George
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3. The Secretary
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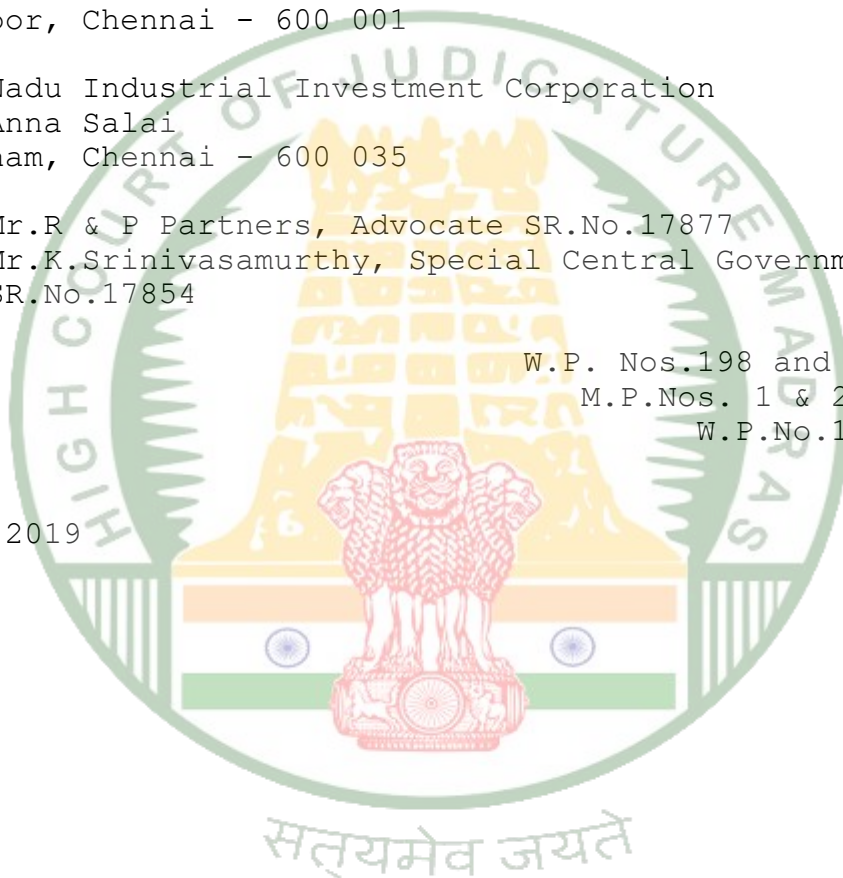
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8. Tamil Nadu Industrial Investment Corporation
473, Anna Salai
Nandanam, Chennai - 600 035

+1 cc to Mr. R & P Partners, Advocate SR.No.17877
+1 cc to Mr. K. Srinivasamurthy, Special Central Government
counsel, SR.No.17854

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VBA (CO)
CSL/20.03.2019



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