

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.09.2019

CORAM:

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.No.7050 of 2012

Bhuwalka Steel Industries Limited,
Represented by its Director,
Ajay Kumar Bhuwalka,
"Bhuwalka Centre",
No.71, 3rd Coss,
Residency Road,
Bangalore - 560 025.

.... Petitioner

Vs.

1.The Assistant Commissioner (CT),
Egmore I Assessment Circle,
Spur Tank Road,
Chennai - 600 031.

2.The State of Tamil Nadu,
Represented by the Secretary,
Commercial Taxes and Registration
(B1) Department,
Fort St. George,
Chennai - 600 009.

3.The State Industries Promotion
Corporation of Tamil Nadu Ltd.
19-A Rukmani Lakshmipathy Road,
Post Bag No.7223,
Egmore,
Chennai-600 008.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Declaration, to declare the deed of agreement for deemed payment of deferred sales tax deemed re-loaning and recovery of loan dated 13.1.1998 entered into by the Petitioners with the Government of Tamil Nadu as violative of Article 299 of the Constitution of India, 1950, opposed to Section 23 of the Indian Contract Act, 1872 and ultra vires G.O.Ps.No.92 Commercial Taxes and Religious Endowment Department dated 22.02.1991.

For Petitioner : Mr.K.A.Parthasarathy

For Respondents: Mr.M.Hariharan (for R1 and R2)
Government Advocate

No Appearance (for R3)

O R D E R

This writ petition is dismissed recording the endorsement made by the learned counsel for the petitioner and liberty is preserved to revive this prayer at a later juncture if situation demands. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

- 1.The Assistant Commissioner (CT),
Egmore I Assessment Circle,
Spur Tank Road,
Chennai - 600 031.
- 2.The Secretary,
State of Tamil Nadu,
Commercial Taxes and Registration
(B1) Department,
Fort St. George,
Chennai - 600 009.
- 3.The State Industries Promotion
Corporation of Tamil Nadu Ltd.
19-A Rukmani Lakshmipathy Road,
Post Bag No.7223,
Egmore, Chennai-600 008.

+1cc to Mr.N.Inbarajan, Advocate Sr.81650
+1cc to the Special Government Pleader Sr.82020

W.P.No.7050 of 2012

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srg 04/11/2019