

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 19.08.2019

CORAM

THE HONOURABLE MR.JUSTICE M.SUNDAR

W.P.No.19574 of 2019

&

W.M.P.No.19085 of 2019

M/s.Vignesh Cements & Additives
Rep. By its Proprietor K.Raghupathy
No.3/1-C, Tiruvallur - Poonamallee High Road
Aranvoyal
Thiruvallur - 602 025 .. Petitioner

Vs.

1. The Superintendent of GST & C.Ex.
Poonamallee Division
Chennai Outer Commissionerate
C-48, TNHB Building, Anna Nagar
Chennai - 600 040
2. The Commissioner of Central Excise (Appeals) - II
NEWRY Towers, 2054/1. II Avenue
12th Main Road, Anna Nagar
Chennai - 600 040 .. Respondents

Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorarified Mandamus to call for the records relating to the Order in Appeal No.83/2009 (CTA-II) dated 29.04.2019 passed by the 2nd respondent and to quash the same as contrary to the provisions of the Central Excise Act, arbitrary, violative of principles of natural justice and further direct the 2nd respondent to hear the Appeal A.No.112/2019 (CTA-II) of the petitioner and pass orders on merits.

For Petitioner : Mr.K.Jayachandran
Mr.M.A.Mudi Mannan

For Respondents : Mr.A.P.Srinivas
Standing Counsel

ORDER

Mr.M.A.Mudi Mannan, learned counsel on record for writ petitioner submits that he has instructions from the writ petitioner to withdraw this writ petition and has also made an endorsement in the case file, which reads as follows:

'May please be permitted to withdraw the W.P to avail the benefit Subka Vishwas Scheme and thus render justice.

Sd/-
Counsel for Writ petitioner
19.08.2019'

3.Learned counsel reiterates the endorsement.

In the light of the endorsement and reiteration of the same, this writ petition is dismissed as withdrawn. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

gpa
To

1. The Superintendent of GST & C.Ex.
Poonamallee Division
Chennai Outer Commissionerate
C-48, TNHB Building, Anna Nagar
Chennai - 600 040.
2. The Commissioner of Central Excise (Appeals) - II
NEWRY Towers, 2054/1. II Avenue
12th Main Road, Anna Nagar
Chennai - 600 040.

+1cc to Mr.A.P.Srinivas, Advocate Sr.70359

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pvs[col]
srg 17/09/2019