

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.11.2019

CORAM

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.NO.21504 OF 2017

WMP.22494 OF 2017

M/s.Surya Enterprises
Represented by its Partner
Shri G.Ganeshan

... Petitioner

--Vs--

1. The Additional Commissioner of Central Excise
III Commissionerate
26/1 Mahatma Gandhi Salai
(Chennai 600034)
(Now Additional Commissioner of Central Taxes
and Central Excise Chennai Outer)

2. The Commissioner of Central Taxes and Central Excise
No.1, 1 Foulks Compound
Anaimeedu, Salem 636 001

... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ or order of direction or any other Writ in the nature Writ of Certiorari, calling for the records of the 1st respondent in order in Original No.9/2017 (ST) dated 09.05.2017 passed by the first respondent and quash the same.

For Petitioner : Mr.G.Natarajan

For Respondents: Mr.S.Rajasekar
Standing Counsel

O R D E R

The appeal of the petitioner before the Customs Excise & Service Tax Appellate Tribunal has been allowed on 08.04.2019 and learned Standing Counsel for the respondents confirms that this order has attained finality and there is no challenge to this order by way of appeal.

2. In the light of the order of the CESTAT order dated 09.05.2017 is set aside and, this writ petition is allowed. Consequently, connected miscellaneous petitions is closed. No costs.

Sd/-
Assistant Registrar (CJ Conf.)

//True Copy//

Sub Assistant Registrar

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To

1. The Additional Commissioner of Central Excise
III Commissionerate, 26/1 Mahatma Gandhi Salai
(Chennai 600034)
(Now Additional Commissioner of Central Taxes
and Central Excise Chennai Outer)
2. The Commissioner of Central Taxes and Central Excise
No.1, 1 Foulks Compound, Anaimeedu
Salem 636 001.

+1cc to Mr.S.Rajasekar, Advocate, S.R.No.96753

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GMR(CO)
CS/31/12/2019