

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.11.2019

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.32089 of 2019
and
W.M.P.No.32349 of 2019

M/s.Sanmina -SCI India Pvt Ltd.,
OZ-1, SIPCOT Hi-Tech SEZ,
Oragadam, Sriperumbudur Taluk,
Kancheepuram District,
Tamil Nadu - 602 105.Petitioner

vs.

- 1.The Assistant Commissioner (CT),
Sriperumbudur Division,
Chennai Outer Commissionerate,
12th Main Rd, L Block, Anna Nagar West,
Anna Nagar, Chennai, Tamil Nadu 600 040.
- 2.The Commissioner of Central Tax (Appeals-II),
CGST & Central Excise,
Newry Towers, 2054/1,
II Avenue, 12th Main Road, Anna Nagar,
Chennai - 40.Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the second respondent in the Impugned Order in Appeal No: 269/2019 (CTA-III), dated 21.09.2019, to quash the same and direct the second respondent to restore the Appeal No: 231/2019 (CTA-III), dated 5.7.2019 and adjudicate the same in the light of the decisions passed by the Jurisdictional Customs, Excise and Service Tax Appellate Tribunal, Chennai Benches in M/s.Matrimony Com. Pvt Ltd (Formerly called as Consim Info Pvt Ltd) vs Commissioner of CGST and Central Excise, South Commissionerate 2019 (3) TMI 1180 and the Jurisdictional Hon'ble Madras High Court in C.C.E., Chennai - IV Vs. M/s.Tenneco RC India Pvt Ltd., 2015 (323) E.L.T.299 (Mad) and the Hon'ble Supreme Court of India in Nirion Limited Vs Commissioner of Central Excise, Mumbai 2015 (320) E.L.T 22 (SC).

For Petitioner : Mr.K.Senguttuvan

For Respondents : Mrs.Hema Muralikrishnan
Senior Standing counsel

O R D E R

The learned counsel for the petitioner seeks permission of this Court to withdraw this writ petition with liberty to approach the Appellate Forum. He has also made an endorsement to that effect.

Granting such liberty, this Writ Petition is dismissed as withdrawn. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Assistant Commissioner (CT),
Sriperumbudur Division,
Chennai Outer Commissionerate,
12th Main Rd, L Block, Anna Nagar West,
Anna Nagar, Chennai, Tamil Nadu 600 040.
- 2.The Commissioner of Central Tax (Appeals-II),
CGST & Central Excise,
Newry Towers, 2054/1,
II Avenue, 12th Main Road, Anna Nagar,
Chennai - 40.

+1cc to Mr.Hema Muralikrishnan, Advocate, S.R.No. 95434

+1cc to the Government Pleader(Taxes), S.R.No. 96158

VG I(CO)
GN(17/12/2019)

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