



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Friday, the Fifteenth day of March Two Thousand Nineteen

The Hon'ble Mr. Justice ABDUL QUDDHOSE

WEB COPY

WMP(MD) Nos.10517 To 10520 of 2016

IN

WP(MD) No.2702 to 2705 of 2009

M/S.346SAMY & CO., SIZING MILL

REP. BY ITS PARTNER, P.K.KUTTALINGAM. NO.

1/281, RAJAPALAYAM MAIN ROAD,

DHALAVAIPURAM -626 188,

... Petitioner in all the cases

Vs

1 THE STATE OF TAMIL NADU REP.

BY THE SECRETARY TO GOVERNMENT, C.T. & R.E.

DEPARTMENT, FORT ST.GEORGE, CHENNAI-600 009.

2 THE PRINCIPAL COMMISSIONER AND

COMMISSIONER OF COMMERCIAL TAXES, EZHILAGAM,

CHEPAUK, CHENNAI-600 005.

3 THE COMMERCIAL TAX OFFICER,

NOW RE-DESIGNATED AS ASSISTANT COMMISSIONER

(CT)-1, RAJAPALAYAM.

... Respondent in all the cases

Prayer in WMP(MD). 10517/ 2016 :

Writ Miscellaneous Petitions are filed under Article 226 of Constitution of India Praying this Hon'ble Court to set aside the order dated 02.06.2016 made in WP No.2702 of 2009 and restore WP No.2702 of 2009 to the file of this Honble Court

Prayer in WP(MD). 2702 TO 2705/2009:

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Certiorarified Mandamus, to call for the records of the impugned proceedings of the third respondent herein in TNGST.No.6041466/2002-03 on his files, quash the proceedings issued therein dated 16.3.2009 and further direct the third respondent to await the results of the Tax Case Nos.1472, 1542, 1544, 1548, 1556 etc., of 2006 pending on the files of this Hon ble Court, besides, not to follow the judgments of the other High Courts which have no binding effect on him.

ORDER : This petition are coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.S.RAJA JEYA CHANDRA PAUL, Advocate for the petitioner and of Mr.D.MURUGANANDHAM, ADDITIONAL GOVERNMENT PLEADER, on behalf of the Respondents, this



court made the following order:-

This Court is satisfied with the reasons stated in the affidavit filed in support of these petitions.

Accordingly, these petitions are allowed

Post the main writ Petitions on 01/04/2019

Sd/-

Assistant Registrar(AD-II)

/True Copy/

Sub Assistant Registrar(CS-II)

TO

1 THE SECRETARY TO GOVERNMENT OF TAMILK NADU,  
COMMERCIAL DEPARTMENT, FORT ST.GEORGE, CHENNAI-600 009.

2 THE PRINCIPAL COMMISSIONER AND  
COMMISSIONER OF COMMERCIAL TAXES, EZHILAGAM,  
CHEPAUK, CHENNAI-600 005.

3 THE COMMERCIAL TAX OFFICER,  
NOW RE-DESIGNATED AS ASSISTANT COMMISSIONER  
(CT)-1, RAJAPALAYAM.

COPY TO:

THE SECTION OFFICER,  
WRIT SECTION,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

ORDER DATED:15/03/2019  
HEARING DATED:01/04/2019  
RESTORED  
WMP(MD) No.10517 of 2016  
IN  
WP(MD) No.2702 of 2009  
GIVING DIRECTION AND ETC,  
AS STATED WITHIN.

SP/29.03.2019/ 2P/5C