

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.03.2020

CORAM:

THE HON'BLE Mr. JUSTICE R.MAHADEVAN

Writ Petition Nos.23926 & 23927 of 2010
&
M.P.Nos.1 & 2 of 2010

M/s. Annamalayar Tyre Retreading Company (P) Ltd.
No.390 Vivekananda Road,
Narayanavalasu, Erode 638 011 ...Petitioner in both W.Ps.

...vs..

Commissioner of Customs and Central Excise,
No.1 Foulk's Compound,
Annai Medu,
Salem 636 001 ...Respondent in both W.Ps.

Prayer in W.P.No.23926 of 2010:- Writ Petition filed Article 226 of the Constitution of India praying for the issuance of the Writ of Certiorari to call for the records of the case relating to Order in Original No.2/2010 (Commissioner) dt.31.5.2010 passed by respondent and to quash the same so far as it relates to confirmation of demand of Rs.21,21,613/- imposition of amounts of penalty under Sections 77 and 78 of Finance Act 1994 and demand of interest under Section 75.

Prayer in W.P.No.23927 of 2010:- Writ Petition filed Article 226 of the Constitution of India praying for the issuance of the Writ of Declaration declaring that the Service Tax Provision under Section 65(64) of Finance Act 1994 is not applicable to the petitioner activity of Retreading of tyres and to hold that levy of Service Tax cannot be made on the activity of Retreading Tyres carried out by petitioner.

For Petitioner(in both W.Ps.) : Mr. T.Ramesh

For Respondent(in both W.Ps.) : Mr. A.P.Srinivas, Sr.
Standing Counsel.

C O M M O N O R D E R

The learned counsel for the petitioner seeks permission of this Court to withdraw these Writ Petitions. The learned counsel has also made endorsements in the Court bundle today to that effect.

2. Recording the said submission and endorsements made by the learned counsel for the petitioner, these Writ Petitions are dismissed as withdrawn. No costs. Consequently the connected MPs are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

srk

To

1.The Commissioner of Customs and Central Excise,
No.1, Foulk's Compound,
Anna Medu,
Salem 636 001.

W.P.Nos.23926 & 23927 of 2010
& M.P.Nos.1 and 2 of 2010

GJ(CO)
RN(05/06/2020)

सत्यमेव जयते

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