

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.12.2020

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. Nos. 34604 and 34605 of 2015
and
M.P. Nos. 1 and 1 of 2015

Tvl. Shriram Properties Infrastructures Pvt. Limited,
A Limited Company,
Represented by Mr. Ram Shankar Venkataraman,
Having its registered office at,
Lakshmi Neela Rite Choice Chambers,
No. 9, Bazullah Road,
T.Nagar,
Chennai - 600 017. Petitioner in both W.P.s

-vs-

The Commercial Tax Officer,
Pondy Bazaar Assessment Circle,
46, Greenways Road,
R.A.Puram,
Chennai - 600 028. Respondent in both W.P.s

Prayer in W.P. No. 34604 of 2015:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for the records of the Respondent in TIN/33361522842/2009-10 and quash the impugned order dated 09.10.2015.

Prayer in W.P. No. 34605 of 2015:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for the records of the Respondent in TIN/33361522842/2011-12 and quash the impugned order dated 09.10.2015.

For Petitioner : Mr. S.Sivaraman (in both W.P.s)

For Respondent : Mr. A.N.R.Jayaprathab,
Government Advocate (Taxes)
(in both W.P.s)

C O M M O N O R D E R

(through video conference)

Heard Mr. S.Sivaraman, Learned Counsel for the Petitioner and Mr. A.N.R.Jayaprathab, Learned Government Advocate (Taxes) appearing for the Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. When it is pointed out by Learned Government Advocate appearing for the Respondent that the Petitioner has got an effective alternative remedy to challenge the impugned orders by way of appeal under Section 51 of the Tamil Nadu Value Added Tax Act, 2006 before the Appellate Authority, Learned Counsel for the Petitioner seeks permission of this Court to withdraw these Writ Petitions with liberty to resort to that procedure. He has also filed memos dated 05.12.2020 to that effect through e-mail, which are placed on record.

3. Accordingly, these Writ Petitions are dismissed as withdrawn granting such liberty. It is made clear that for the purpose of reckoning limitation for availing the aforesaid remedy, the period from the date of filing of the Writ Petitions, viz., 27.10.2015, till the date on which the certified copy of this order is made ready by the Registry, shall be excluded. Consequently, the connected Miscellaneous Petitions are closed. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

To

The Commercial Tax Officer,
Pondy Bazaar Assessment Circle,
46, Greenways Road,
R.A.Puram,
Chennai - 600 028.

+1cc to the Special Government Pleader Sr.39422
+2cc to Mr.R.Sivaraman, Advocate Sr.39594

W.P. Nos. 34604 and 34605 of 2015

sr II[co]
srg 17/12/2020