



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Wednesday, the First day of September Two Thousand and Twenty One

WEB COPY

PRESENT
HON'BLE MR JUSTICE M.DURAISWAMY
AND
HON'BLE MR JUSTICE K.MURALI SHANKAR

CMP(MD) . No.5353 of 2021 and 5354 of 2021
in
WA(MD) .No.163 and 164 of 2020

Tvl.Muthu Meenakshi Enterprises
Rep.By its Partner M.Karthiravan
S/o.K.Mohan
No.37 East Marret Street
Madurai- 625001

... Petitioner/Appellant
in both petitions

Vs

- 1 The Commissioner of Commercial Taxes
O/o.The Principal and Special
Commissioner of Commercial Taxes
Ezhilagam
Chepauk Chennai-600005
- 2 The Commercial Tax Officer
Chitrakara Street Assessment Circle
Commercial Taxes Complex
Dr.Thangaraj Salai
Madurai-625020

... Respondents/Respondents
in both petitions

Common Prayer :-

These Petitions filed under section 151 of C.P.C to restore and set aside the order in Writ Appeal in WA(MD)No.163 of 2020 and 164 of 2020 which were dismissed for non prosecution

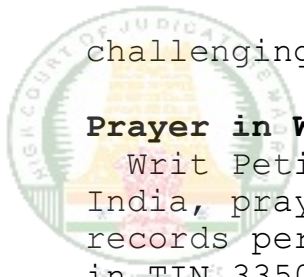
Prayer in WA(MD) . 163/ 2020 :

This Writ Appeal filed under 15 of letters patent Act for challenging order dated 18.06.2018 in Writ petition in WP(MD).No. 20649/2016

<https://hservices.ecourts.gov.in/hcpraises/>

Prayer in WA(MD) . 164/ 2020 :

This Writ Appeal filed under 15 of letters patent Act for



challenging order dated 18.06.2018 in WP(MD).No. 20651/2016

Prayer in WP(MD) . 20649/ 2016 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorari calling for records pertaining to the impugned proceedings of the 2nd respondent in TIN 33504921742/2012-13 dated 29.08.2016 and quash the same.

Prayer in WP(MD) . 20651/ 2016 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorari calling for records pertaining to the impugned proceedings of the 2nd respondent in TIN 33504921742/2014-15 dated 29.08.2016 and quash the same.

ORDER:- These Petitions 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 Thiru.Raja Karthikeyan, Advocate for the Petitioner and of Thiru. P.Thilak Kumar, Government Pleader for the respondents, this Court made the following order:

(Order of the Court was made by **M.DURAISWAMY, J**)

The Writ Petitioner in the above Writ Appeals had filed the above Petitions seeking to restore the Writ Appeals in W.A(MD) No.163 and 164 of 2020, which was dismissed for non-prosecution on 1.4.2021.

2.In paragraph Nos. 2 and 3 of the affidavits filed in support of these Petitions, the Petitioner has explained the reasons for their non-appearance on 31.3.2021 and 1.4.2021.

3.We are satisfied with the reasons stated in the affidavits filed in support of these Petitions.

4.Mr.P.Thilak Kumar, learned Government Pleader appearing for the respondents has no objection for ordering these Petitions.

5.In view of the same, these Petitions are ordered and Writ Appeals in W.A(MD)Nos.163 and 164 of 2020 are restored to file.

6.Post the Writ Appeals on 06.10.2020.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



TO

1. The Commissioner of Commercial Taxes
O/o.The Principal and Special
Commissioner of Commercial Taxes
Ezhilagam
Chepauk Chennai-600005

2. The Commercial Tax Officer
Chitrakara Street Assessment Circle
Commercial Taxes Complex Dr.Thangaraj Salai
Madurai-625020

Copy to:

The Section Officer,
Judicial (Posting)Section,
Madurai Bench of Madras High Court, Madurai

ORDER DATED : 01/09/2021

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ORDER

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CMP (MD) . No.5353 and 5354 of 2021
in
WA (MD) .No.163 and 164 of 2020

Giving direction and etc.
as stated within.

MGJ(13.09.2021) 3P 4C