



W.P.No.29262 of 2022

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 07.11.2022

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No.29262 of 2022

and

WMP Nos.28554 and 28555 of 2022

M/s.New Chennai Township Pvt. Ltd.,
(represented by its Director N.Sivakumar)
4-318, Marg Axis, Kottivakkam,
Old Mahabalipuram Road,
Tiruvanmiyur, Chennai – 600 041.

... Petitioner

Vs

Commissioner of GST & Central Excise
Chennai South Commissionerate
MHU Complex, 692, Anna Salai,
Nandanam, Chennai – 600 035.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari to call for the records relating to the Order-in-Original No.23/2021(C) dated 29.10.2021 passed by the respondent and quash the same.



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For Petitioner : Mr.G.Natarajan
For Respondent : Mr.A.P.Srinivas
Senior Standing Counsel

ORDER

Learned counsel for the petitioner seeks permission to withdraw this Writ Petition with liberty to approach the appellate authority by way of statutory appeal. He has also made an endorsement to that effect.

2. Mr.A.P.Srinivas, learned Senior Standing Counsel, who accepts notice for the respondent, expresses no objection for the liberty so sought and granted.

3. This benefit is granted to the petitioner despite the position that the Writ Petition has been filed beyond the period of statutory limitation. The petitioner is stated to have been revived on 27.05.2022 pursuant to CIRP process before the National Company Law Appellate Tribunal and this Writ Petition has been filed on 03.11.2022.

4. In light of the endorsement made, this Writ Petition is dismissed as withdrawn with liberty as above. Appeal, if any, filed within a period of four (4) weeks from today, shall be taken on file by the appellate authority without reference to limitation, but ensuring compliance with any other statutory



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conditions, including pre-deposit and disposed expeditiously and in accordance

with law. No costs. Connected Miscellaneous Petitions are closed.

07.11.2022

Index : Yes / No

Speaking/non-speaking Order
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To

Commissioner of GST & Central Excise
Chennai South Commissionerate
MHU Complex, 692, Anna Salai,
Nandanam, Chennai – 600 035.



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Dr.ANITA SUMANTH,J.

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