



WEB COPY



W.P.No.9439 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 28.03.2023

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No.9638 of 2023
and WMP Nos.9898 and 9699 of 2023

M/s.Gee Gee Alloys
rep. by its Proprietor
Mr.Govarthanam Kanchi Praveen

... Petitioner

Vs

1. The Commercial Tax Officer/State Tax Officer,
Tiruttani Assessment Circle,
Ward B, Block No.25, Gandhi Road,
Arakkonam – 603 001.

2. The Assistant Commissioner (ST) RAL
Zone XII, Kancheepuram – 1.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari to call for the impugned proceedings of the first respondent in Reference No.ZD331122094663J dated 30.11.2022 relating to the assessment year 2021-2022 passed under Section 74 of the TNGST Act, 2017 and the summary of the order in Reference No.ZD331122094663J dated 30.11.2022 in Form GST DRC-07 and another summary of the order dated 30.11.2022 in Form GST DRC -07 issued in GSTIN:33BIUPP2933C2Z6/2021-2022 and quash the impugned orders as passed contrary to the procedures as

<https://www.mhc.tn.gov.in/judis> contemplated under the provisions of the CGST Act, 2017 and TNGST Act,



W.P.No.9439 of 2023

Dr.ANITA SUMANTH,J.

2017 and also without granting personal hearing as contemplated under Section 75(4) of the CGST Act, 2017 and TNGST Act, 2017.

For Petitioner : Mr. P.Rajkumar

For Respondents : Mr.C.Harsha Raj
Additional Government Pleader

ORDER

Learned counsel for the petitioner seeks permission to withdraw this Writ Petition. He has also made an endorsement to that effect.

2. In light of endorsement made, this Writ Petition is dismissed as withdrawn. No costs. Connected Miscellaneous Petitions are also dismissed.

28.03.2023

Index : Yes / No

Speaking/non-speaking Order

Neutral Citation: Yes/No

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Note: Registry is directed to issue this order today.

To

1. The Commercial Tax Officer/State Tax Officer,
Tiruttani Assessment Circle,
Ward B, Block No.25, Gandhi Road,
Arakkonam – 603 001.

2. The Assistant Commissioner (ST) RAL
Zone XII, Kancheepuram – 1.

W.P.No.9638 of 2023
and WMP Nos.9898 and 9699 of 2023



W.P.No.9439 of 2023

W.P.No.9638 of 2023

Dr.ANITA SUMANTH, J.

The petitioner states that the matter is listed 'for being mentioned' today.

2. Learned counsel for the petitioner states that time for filing appeal has expired and request for two weeks' to file appeal as directed on 28.03.2023.

3. As learned counsel for respondent has no objection, order dated 28.03.2023 is modified to read as follows:-

"Learned counsel for the petitioner seeks permission to withdraw this writ petition. He has also made an endorsement to that effect.

2. In light of the endorsement made, this writ petition is dismissed as withdrawn.

3. Liberty is granted to the petitioner to approach the appellate authority by way of statutory appeal. Such an appeal if filed within two weeks from date of receipt of a copy of this order shall be entertained without reference to limitation subject to all other statutory compliances including pre-deposit."

4. Registry to issue a fresh copy of the order dated 28.03.2023 incorporating the change as above.

31.03.2023

ssm



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W.P.No.9439 of 2023

Dr.ANITA SUMANTH, J.

ssm

W.P.No.9638 of 2023

31.03.2023