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W.A.No.134 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN
AND
THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.A.No.134 of 2023

The Commercial Tax Officer,
Harbour Assessment Circle, Chennai.

... Appellant

-VS-

M/s.A to Z Metals
rep. by its Proprietor,
Old No.220/4, New No.202/4,
Linghi Chetty Street, Chennai-01.

... Respondent

Prayer: Writ Appeal filed under Clause 15 of Letter Patent to set aside the order dated 04.08.2016 passed in W.P.No.17012/2016 and allow the Writ Appeal.

For Appellants : Mr.M.Venkateswaran, Spl.G.P.

For Respondent : ...

J U D G M E N T

Learned Special Government Pleader appearing for the appellant sought for permission of this Court to withdraw the present Writ Appeal and he has also filed a Memo of Withdrawal of the Writ Appeal dated 02.01.2023 to that effect.



WEB COPY



W.A.No.134 of 2023

S. VAIDYANATHAN, J.
and
MOHAMMED SHAFFIQ, J.

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2. In this regard, it is relevant to extract the Memo of Withdrawal of the Writ Appeal here under:

"I submit that in compliance with the order of the Hon'ble High Court dated 04.08.2016, the assessment had been revised for the year 2013-14 vide order dated 07.12.2021 after affording personal hearing opportunities to the assessee. As the assessee failed to avail the personal hearing opportunities, the demand raised vide proceedings of the appellant in TIN.33080021145/2013-14 dated 07.03.2016 for Rs.35,91,403/- was confirmed. Action has been initiated by the Department under Revenue Recovery Act to recover the above demand.

In the above circumstances, it is, therefore, prayed that this Hon'ble High Court may be pleased to permit the Appellant to withdraw the above Writ Appeal filed in W.A.S.R.No.3555 against W.P.No.17012 of 2016 and thus render justice."

3. Recording the same, permission is granted to the learned Special government Pleader for the appellant to withdraw the above Writ Appeal. Accordingly, the Writ Appeal is dismissed as withdrawn. No costs.

[S.V.N., J.] [M.S.Q., J.]
11.01.2023

Index: Yes / No
Internet: Yes / No
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W.A.No.134 of 2023



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W.A.No.157 of 2023

11.01.2023