



W.P.No.27128 of 2007

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 30.04.2024

CORAM

**THE HONOURABLE MR. JUSTICE R. MAHADEVAN**  
**and**  
**THE HONOURABLE MR. JUSTICE MOHAMMED SHAFFIQ**

W.P.No.27128 of 2007

and

M.P.No.1 of 2007

M/s.Rajesj Motors,  
Rep.by its Partner, Mr.S.Karikalan

.. Petitioner

Vs.

1. The State of Tamil Nadu  
Rep. by the Secretary to Government,  
Commercial Taxes & Religious  
Endowments Department,  
Fort St. George, Chennai.

2. The Commercial Tax Officer,  
Amaindakarai Assessment Circle,  
Chennai.

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Declaration to declare the provisions of the Tamil Nadu on Entry of Motor Vehicles into Local Areas Act, 1990, as ultra vires Article 14,19(1) (g), 301 and 304 (a) and (b) of the Constitution of India and



W.P.No.27128 of 2007

being non-compensatory in nature in view of the recent finding rendered by the Division Bench of the High Court in W.P.No.15960 of 1996 and batch of cases vide order dated 10.07.2007 following the law declared by the Supreme Court of India in the Judgment reported in 145 STC 544 and therefore unenforceable and of no effect in so far as the petitioner is herein is concerned.

For Petitioner : Mr.P.Raj Kumar

For Respondents : Mr.M.Venkateswaran  
Special Government Pleader

### **ORDER**

(Order of the court was made by R. MAHADEVAN, J.)

Based on the letter dated 28.03.2024 filed by the learned counsel for the petitioner before the Registry, this writ petition has been listed today under the caption “for withdrawal”.

2. When the matter is taken up for hearing, the learned counsel for the petitioner seeks permission of this Court to withdraw this writ petition, as the petitioner is inclined to settle the dispute under the provisions of The Tamil Nadu Taxes (Settlement of Arrears) Act, 2023. He has also made an endorsement to that effect in the Court bundle.



W.P.No.27128 of 2007

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3. In view of the above submission and the endorsement made by the learned counsel for the petitioner, this writ petition is dismissed as withdrawn. No costs. Connected miscellaneous petition is closed.

[R.M.D, J.] [M.S.Q, J.]  
30.04.2024

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To

1. The Secretary to Government,  
The State of Tamil Nadu  
Commercial Taxes & Religious  
Endowments Department,  
Fort St. George, Chennai.
2. The Commercial Tax Officer,  
Amaindakarai Assessment Circle,  
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W.P.No.27128 of 2007

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