



WEB COPY



W.P.No.20801 of 2

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 13.02.2024

CORAM

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

W.P.No.20801 of 2008
and
MP.No.1 of 2008

M/s. DLF LAING O' ROURKE (India) Ltd.,
rep. by its authorised Signatory S.Subramanian,
1/124, Sivaji Gardens,
Mount Poonamallee Road,
Manapakkam, Ramapuram,
Chennai - 89.

.. Petitioner

Vs.

1. The State of Tamil Nadu,
rep. by the Secretary to Government,
Commercial Taxes and Religious Endowments
Department,
Fort St.George, Chennai - 600 009.
2. The Assistant Commissioner (CT) (FAC),
Alandur Assessment Circle,
No.62, Pudupet Street,
Alandur, Chennai - 16.
3. The Regional Transport Officer,
Chennai South West,
Valasaravakkam, Chennai - 87.

.. Respondents



Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Declaration, declaring that Section 2(d), Section 2(g) and Section 3 of the Tamil Nadu Tax on entry of Motor Vehicles into Local Areas Act, 1990 as ultra vires Articles 14, 19(1)(a), 19(1)(g), 301, 304(a) and 304(b) of the Constitution of India and also not a 'compensatory or regulatory tax' in view of the law laid down by the Supreme court in the case of Jindal Stainless Steel and another vs. State of Haryana and others reported in 145 STC 544 and therefore un-enforceable and of no effect in so far as the petitioner is concerned.

For Petitioner : Mr.S.Ramanathan

For Respondents : Mr.M.Venkateswaran
Special Government Pleader

ORDER

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

Based on the letter dated 12.02.2024 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 file an application under Samadhan Scheme 2023. He has also made an endorsement to that effect in the Court bundle.



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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above submission and the endorsement made by the learned counsel for the petitioner, this writ petition is dismissed as withdrawn.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.]
13.02.2024

Internet : Yes

Index : Yes / No

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To

1. The Secretary to Government,
The State of Tamil Nadu,
Commercial Taxes and Religious Endowments
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Fort St.George, Chennai - 600 009.
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