



W.P.Nos.17689 and 17690 of 2009

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR
and
THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.Nos.17689 and 17690 of 2009
and
W.M.P.No.1 of 2009

J.Thomas & Company Private Limited,
represented by its Deputy Managing Director,
Vijay Shankar,
P.B.No.30,
Porter Avenue, Kotagiri Road,
Coonoor – 643 101.

... Petitioner
in both W.Ps.

Vs.

1. The Assistant Commissioner (CT) (FAC),
Coonoor, The Nilgiris.
2. The State of Tamil Nadu,
Represented by its Secretary,
Commercial Taxes & Registration (B2) Department,
Fort St.George,
Chennai – 600 009.

... Respondents
in both W.Ps.



W.P.Nos.17689 and 17690 of 2009

Prayer in 17689 of 2009: Petition filed under Article 226 of the Constitution of

India, praying for issuance of a Writ of Certiorari, to call for the records on the files of the first respondent in TNGST.No.2540206/2002-2003 dated 30.06.2009 and issue a Writ of Certiorari or any other appropriate writ, order of direction under Article 226 of the Constitution of India and quash the same in so far as it relates to assessment of a turnover of Rs.4,09,25,232/- assessed at 4% and a turnover of Rs.32,58,03,165/- assessed at 8%, and additional sales tax of Rs.16,76,940/- imposed on the local sales of the Petitioners inside the State of Tamil Nadu.

Prayer in 17690 of 2009: Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Declaration, to declare Paragraph 3 of G.O.Ms.No.12 dated 04.02.2008 as ultra vires the executive powers of the second respondent under the Constitution of India, 1950 and ultra vires the provisions of the Tamil Nadu General Sales Tax Act, 1959.

For Petitioner : Mr.N.Sriprakash
(in both W.Ps.)
For Respondents : Mr.Haja Nazirudeen
Additional Advocate General
assisted by Mr.G.Nanmaran
Special Government Pleader
(in both W.Ps.)



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COMMON ORDER

WEB COPY (Order of the Court was delivered by **R.SURESH KUMAR, J.**)

When the matter was taken up for hearing Mr.N.Sriprakash, learned counsel appearing for the Petitioner in both the Writ Petitions has filed a Memo dated 18.09.2024 and further stated that the Petitioner has given instructions to withdraw these two Writ Petitions. Hence, he seeks permission of this Court to withdraw these two Writ Petitions.

2. In view of the Memo dated 18.09.2024 and the submissions made by the learned counsel for the Petitioner, these two Writ Petitions are dismissed as withdrawn. No cost. Consequently, connected Miscellaneous Petition is closed.

[R.S.K., J.]

[C.S.N., J.]

18.09.2024

Index : Yes/No

Speaking Order/Non-Speaking Order

Neutral Citation : Yes/No

rgm



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R.SURESH KUMAR, J.
and
C.SARAVANAN, J.

rgm

To

1. The Assistant Commissioner (CT) (FAC),
Coonoor, The Nilgiris.
2. The Secretary,
The Government of Tamil Nadu,
Represented by its Secretary,
Commercial Taxes & Registration (B2) Department,
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