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W.P.No.15635 of 2010

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.03.2024

CORAM

THE HONOURABLE MR.JUSTICE **M.SUNDAR**

and

THE HONOURABLE MRS.JUSTICE **K.GOVINDARAJAN THILAKAVADI**

W.P. No.15635 of 2010
and M.P. No.1 of 2010

M/s.India Cements Ltd.,
Coromandal Towers,
No.93, Santhome High Road,
Karpagam Avenue, R.A. Puram,
Chennai – 600 028.

.. Petitioner

Vs.

1.The State of Tamil Nadu rep. By
The Secretary to Government,
Department of Commercial Taxes,
Secretariat, Fort St. George,
Chennai – 600 009.

2.The Deputy Commissioner (C.T. I),
Fast Track Assessment Circle II,
Chennai – 600 006.

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying to issue a writ of declaration declaring the impugned G.O.Ms.No.146 Commercial Taxes and Registration (B2) Department dated 29.09.2009 issued by the first respondent as ultra vires Sections 19(2) and 19(10) of the Tamil Nadu Value Added Tax Act, 2006 to the extent of it being made retrospectively applicable to deny the input tax credit availed by the petitioner on purchase of furnace oil between April 2009 and September 2009.



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For Petitioner : Ms.Radhika Chandrasekhar
For Respondents : Mr.C.Harsha Raj,
Addl. Govt. Pleader (Taxes)

ORDER

(Order of the Court was made by **M.Sundar, J.**)

Ms.Radhika Chandrasekhar, learned counsel on record for writ petitioner submits that she has instructions from the writ petitioner company to withdraw captioned writ petition, saying so learned counsel has made an endorsement in the case file and a scanned reproduction of the same is as follows:

WP 15635/2010
The petition may
be permitted to
withdraw the writ
petition
Radhika Sekhar
14/03/2024
RADHIKA CHANDRA SEKHAR
counsel for petitioner



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2. In the light of the narrative thus far, captioned writ petition is disposed of as closed/withdrawn. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Index:Yes/No
Neutral Citation: Yes/No
mmi

(M.S.J.) (K.G.T.J.)
14.03.2024

To

- 1.The Secretary to Government,
Department of Commercial Taxes,
Secretariat, Fort St. George,
Chennai – 600 009.
- 2.The Deputy Commissioner (C.T. I),
Fast Track Assessment Circle II,
Chennai – 600 006.



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**M.SUNDAR.J.,
and
K.GOVINDARAJAN THILAKAVADI, J.,**

mmi

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