



W.P.No.4630 of 2009

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2024

CORAM :

THE HON'BLE MR. JUSTICE R.MAHADEVAN

AND

THE HON'BLE MR. JUSTICE MOHAMMED SHAFFIQ

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M/s.Susee Scooter Centre,
rep. by its Partner S.Sargunan,
No.219, Indra Nagar,
Kancheepuram-631 502.

.. Petitioner

Vs

1.The State of Tamil Nadu,
rep. by its Secretary to Government,
Commercial Taxes & Registration Department,
Fort St. George,
Chennai-600 009.

2.The Commercial Tax Officer,
Kancheepuram (North),
Kancheepuram.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking 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 in so far as it relates to imports made by the petitioner as ultra vires Articles 14, 19(1)(a), 19(1)(g),



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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 Hon'ble Supreme court in the case of Jindal Stainless Steel & another v. State of Haryana and others, reported in 145 STC 544 and therefore unenforceable and of no effect in so far as the petitioner is concerned.

For the Petitioner : Mrs.R.Hemalatha

For the Respondents : Mr.M.Venkateswaran
Spl. Government Pleader

ORDER

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

Based on the letter dated 12.01.2024 filed by 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, 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. She 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the above submission and the endorsement made by learned counsel for the petitioner, this writ petition is dismissed as withdrawn. There shall be no order as to costs.

(R.M.D., J.)

(M.S.Q., J.)

01.03.2024

Index : No
Neutral Citation : No
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To

1.The Secretary to Government,
State of Tamil Nadu,
Commercial Taxes & Registration Department,
Fort St. George,
Chennai-600 009.

2.The Commercial Tax Officer,
Kancheepuram (North),
Kancheepuram.



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