



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 03.09.2024

CORAM

THE HONOURABLE **DR. JUSTICE ANITA SUMANTH**
and
THE HONOURABLE **MR. JUSTICE G.ARUL MURUGAN**

Writ Petition Nos.4991 to 4995 and 5612 of 2004
and WPMP No.5824 and 5825 of 2004

W.P.No.4991 of 2004:

J.Thomas & Company Private Limited
Nilhat House, Porter Avenue,
Kotagiri Road, Post Box No.30,
Coonoor - 643 101.

.... Petitioner

Vs

1. The Commercial Tax Officer,
Coonoor.
2. The State of Tamil Nadu,
represented by the Secretary to Government,
Department of Commercial Taxes
and Religious Endowments,
Fort St. George, Chennai - 600 009.
3. The Tamil Nadu Taxation Special Tribunal,
represented by its Registrar, Second Floor,
Singaravelar Maaligai, Chennai - 600 001.

.... Respondents

PRAYER: PETITION under Article 226 of the Constitution of India praying for issuance of writ of mandamus directing the first respondent herein to forbear from proceedings any further pursuant to his proceedings in TNGST Asst.No.2540206/2002-2003 dated 9.1.2004, till the disposal of the O.P.No.198/2004.



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In all W.P.s.

For Petitioner : Mr.N.Sri Prakash
and Mr.U.Sriram

For Respondents : Mr.V.Prashanth Kiran
Government Advocate - R1 and R2
Tribunal - R3

COMMON ORDER

(Order of the Court was made by Dr.ANITA SUMANTH,J.)

A memo dated 03.09.2024 has been filed by Mr.Sri Prakash, learned counsel on record for the petitioner as follows:

<i>S.No.</i>	<i>Writ Petition No.</i>	<i>Prayer</i>
1	<i>W.P.No.4991 of 2004</i>	<i>Writ of Mandamus - Directing the First respondent to forbear from proceeding any further pursuant to his proceedings in TNGST Asst.No.2540206/2002-2003 dated 09.1.2004, till the disposal of the O.P.No.198/2004.</i>
2	<i>W.P.No.4992 of 2004</i>	<i>Writ of Mandamus - Directing the First respondent to forbear from proceeding any further pursuant to his proceedings in TNGST Asst.No.2540206/2003-2004 dated 09.1.2004, till the disposal of the O.P.No.199/2004.</i>
3	<i>W.P.No.4993 of 2004</i>	<i>Writ of Certiorari to call for the records on the file of First Respondent in TNGST Asst.No.2540206/2002-2003 dated 09.1.2004 and quash the same.</i>
4	<i>W.P.No.4994 of 2004</i>	<i>Writ of Certiorari to call for the records on the file of First Respondent in TNGST Asst.No.2540206/2003-2004 dated 09.1.2004 and quash the same.</i>
5	<i>W.P.No.4995 of 2004</i>	<i>Writ of Declaration to declare Rule 4(2) of the Tamil Nadu Additional Sales Tax Rules, 1970 as ultravires Section 2(1)(aa) and Section 4 of the Tamil Nadu Additional Sales Tax Act, 1970.</i>



S.No.	Writ Petition No.	Prayer
6	<i>W.P.No.5612 of 2004</i>	<i>Writ of Certiorari to call for the records on the file of First Respondent in his Distrain Order in Form No.1 in TNGST Asst.No.2540206/2002-2003 dated 26.02.2004 and quash the same.</i>

2. *It is further submitted that the petitioner in the above Writ Petitions has decided to withdraw the above-mentioned Writ Petitions and has instructed us to accordingly withdraw the above Writ Petitions.*

3. *It is therefore prayed that this Hon'ble Court may be pleased to permit the petitioner to withdraw the above-mentioned Writ Petitions and thus render justice.*

2. Recording the aforesaid memo and the endorsement made by Mr.U.Sriram, learned counsel representing the learned counsel on record for the petitioner, these Writ Petitions and the connected Miscellaneous Petitions are dismissed as withdrawn. No costs.

(A.S.M.,J) (G.A.M.,J)
03.09.2024

Index: Yes/No
Speaking order
Neutral Citation: Yes
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To

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