



W.P.No.34758 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **02.02.2024**

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

Writ Petition No.34758 of 2023
and W.M.P.Nos.34728, 34730 & 34731 of 2023

Ramesh Modern Rice Mill,
Represented by its Proprietor-T.A.Murugasamy,
Velayuthampalayam post,
Avinashi-641 654.
Tamil Nadu.

... Petitioner

-VS-

1.Commercial Tax Officer (FAC),
Avinashi.

2.Assistant Commissioner (ST) (FAC),
Avinashi Circle,
Tirupur.

3.Branch Manager,
State Bank of India,
Coimbatore District,
Tamil Nadu 634 655.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari calling for the records of the 1st respondent in relation to the impugned order dated 15.06.2005 in TNGST 2082148/2002-2003 and consequential recovery notice in Ref.



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No.33972092148/2002-2003 dated 21.08.2023 issued by the 2nd respondent and quash the same as illegal, arbitrary and ultravires the “Explanation” to Section 12(3) of the TNGST Act, 1959 in so far as the levy of penalty is concerned.

For Petitioner : Ms.R.Hemalatha

For R1 and R2 : Mrs.K.Vasanthamala, Government Advocate (T)

ORDER

Learned counsel for the petitioner submits that she has been instructed to withdraw this writ petition because the petitioner opted for the Tamil Nadu Samadhan Scheme. A letter dated 31.01.2024 was submitted for withdrawal. Therefore, W.P.No.34758 of 2023 is dismissed as withdrawn without any order as to costs. Consequently, connected miscellaneous petitions are closed.

02.02.2024

Index : Yes / No

Internet : Yes / No

Neutral Citation: Yes / No

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To

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SENTHILKUMAR RAMAMOORTHY,J.



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