



W.P.No.22697 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.06.2025

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

and

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.No.22697 of 2021

and

W.M.P. No.23927 of 2021 in W.P.No.22697 of 2021

Y.R.Gnanamani

... Petitioner

Vs.

1.NSE Clearing Limited

rep. By its Managing Director Mr.Vikram Kothari,
Exchange Plaza, C-1, Block G,
Bandra Kurla Complex, Bandra (E),
Mumbai – 400 051.

2.National Stock Exchange of India Limited

rep. By its Managing Director Mr.Vikram Limaye,
Exchange Plaza, C-1, Block G,
Bandra Kurla Complex, Bandra (E),
Mumbai – 400 051.

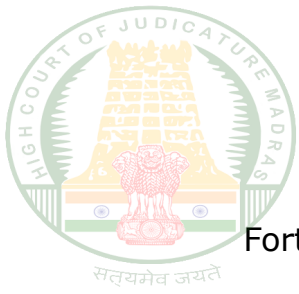
3.Indian Clearing Corporation Limited

rep. By its Managing Director Mr.Devika Shah,
PJ Towers, Dalal Street,
Fort, Mumbai – 400 001.

4.BSE Limited rep. By its

Managing Director Mr.Ashish Chauhan,
Phiroze Jeejeebhoy Towers,
Dalal Street, Kala Ghoda,

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Fort, Mumbai – 400 001.

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5. Securities and Exchange Board of India,
SEBI Bhavan, Plot No.C4-A,
G Block, Bandra Kurla Complex,
Bandra (East), Mumbai – 400 051.

6. State of Tamil Nadu
rep. By the Chief Secretary,
Secretariat, Fort St. George,
Rajaji Salai, Chennai – 600 009.

7. Union of India
through the Secretary,
Department of Revenue,
Ministry of Finance, No.137, North Block,
New Delhi – 110 011.

... Respondents

Writ Petition filed under Article 226 of The Constitution of India praying to issue a Writ of Declaration to declare that the levy of stamp duty on “units issued by mutual fund scheme” and “units or any other instrument issued by any pooled investment vehicle” as defined in Section 2(h)(id) and 2(h)(ida) of the SCRA respectively read with Section 2(23-A)(i) of the Indian Stamp Act, 1899 is illegal, void ab initio and ultra vires Schedule 1 of Indian Stamp Act, 1899 in its application to the State of Tamil Nadu and Article 246(3) of the Constitution of India.



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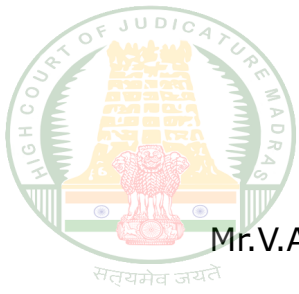
For Petitioner : Ms.Reyna Shruti
for Mr.S.G.Arul Mozhi Selvan

For Respondents : Mr.P.Giridharan for R1 and R2
Mr.R.Kameshwaran
for Mr.R.Venkatraman
for M/s.Tatva Legal Chennai
for R3 and R4
Mr.V.M.Shiva Kumar
for M/s.Shiva Kumar & Suresh
for R5
Mr.M.S.Arasakumar,
Government Advocate for R6
Mr.V.Ashok Kumar,
Senior Panel Counsel for R7

ORDER

[Order of the Court was made by **M.SUNDAR, J.,**]

Ms.Reyna Shruti (Enrolment No.B7950/21), learned counsel representing Mr.G.Arul Mozhi Selvan, learned counsel on record for writ petitioner and Mr.R.Kameshwaran, learned counsel representing Mr.R.Venkatraman of M/s.Tatva Legal Chennai (Law Firm), learned counsel for R3 and R4 are before us on VC (video conferencing) platform, Mr.P.Giridharan, learned counsel for R1 and R2, Mr.V.M.Shiva Kumar of M/s.Shiva Kumar & Suresh (Law Firm), learned counsel for R5, Mr.M.S.Arasakumar, learned Government Advocate for R6 and



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Mr.V.Ashok Kumar, learned Senior Panel Counsel for R7 are before us in physical Court. To be noted, this is a hybrid hearing, which is a regular/routine/daily feature in this Court.

2. Captioned matter is listed today under the cause list caption 'FOR DISMISSAL' owing to proceedings made yesterday (18.06.2025) which reads as follows:

'W.P.No.22697 of 2021
and
W.M.P.No.23927 of 2021

M.SUNDAR,J.,
and
HEMANT CHANDANGOUDAR, J.,

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

There is no representation for writ petitioner either in the physical Court or on 'Videoconferencing' {'VC'} platform. Mr.P.Giridharan, learned counsel for R1 & R2 and Ms.G.S.Deepa, learned counsel of M/s.Shivakumar & Suresh (Law Firm) on behalf of R5 are before this Court. To be noted, this is a hybrid hearing, which is a daily / regular / routine feature in this Court.

2. With the intention of giving an opportunity to writ petitioner and learned counsel for writ petitioner, list tomorrow under the cause list caption 'FOR DISMISSAL'.

List on 19.06.2025.'



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3. Notwithstanding the above proceedings, Ms.Reyna Shruti, learned counsel who is on VC before us does not express any regret or remorse. Nonetheless learned counsel submits that she has instructions from writ petitioner to withdraw the captioned Writ Petition (WP) and captioned Writ Miscellaneous Petition (WMP). This submission is recorded.

4. Recording the above submission, captioned Writ Petition (WP) and captioned Writ Miscellaneous Petition (WMP) thereat are dismissed as withdrawn. There shall be no order as to costs.

(M.S.,J.)

(H.C.,J.)

19.06.2025

Index : Yes / No

Neutral Citation : Yes / No

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**M.SUNDAR, J.,
and
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