

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:21.05.2015

CORAM

The Honourable MR. JUSTICE M.DURAIWAMY

W.P.Nos.14977 of 2015
and M.P.Nos.1 & 2 of 2015

M/s.Kiran Distributors
Rep. by its Proprietor-Rayachand
No.63, Perumal Koil Garden
2nd Lane Sowcarpet
Chennai-79

[Petitioner]

Vs

The Deputy Commercial Tax Officer
Roving Squad-III Enforcement (North)
Greams Road Chennai-6.

[Respondent]

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of certiorarified to call for the records of the impugned proceedings of the respondent in G.D. No.6029/ 2014-15/ R.S.III(N) dated 15.5.2015 quash the same as illegal and against the provisions of the Act in so far as the petitioner is concerned

For Petitioner : Ms.R.Hemalatha

For Respondent : Mr.Kanmani Annamalai, AGP(T)

ORDER

Heard the learned counsel for the petitioner and Mr.Kanmani Annamalai, learned Additional Government Pleader(T), who takes notice for the respondent.

2. By consent of both the counsels, the writ petition is taken up for final hearing at the admission stage.

3. The above writ petition has been filed to issue a writ of certiorari to call for the records of the impugned proceedings of the respondent in G.D. No.6029/ 2014-15/ R.S.III(N) dated 15.5.2015 and to quash the same in so far as the petitioner is concerned.

4. When the matter is taken up for hearing, the learned counsel appearing for the petitioner submitted that the petitioner is willing to pay the entire tax liable to be paid by them and on such payment being made by them, the respondent may be directed to release the goods.

5. Mr.Kanmani Annamalai, learned Additional Government Pleader (Taxes) submitted that on payment of the entire tax, the respondent may be directed to release the goods.

6. Having regard to the submissions made by the learned counsel on either side, this writ petition is disposed of with a direction to the respondent to quantify the tax component alone within a period of three days from the date of receipt of a copy of this order and intimate the same to the petitioner. On payment of the tax component, the goods shall be released. If the respondent has any other claims, they shall await adjudication. No costs. Connected miscellaneous petitions are closed.

21.05.2015

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Note: Issue today

To

The Deputy Commercial Tax Officer
Roving Squad-III Enforcement (North)
Greens Road Chennai-6.

M.DURAI SWAMY,J

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W.P.Nos.14977 of 2015

1/2

21.05.2015