IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.10.2015

CORAM:

THE HON'BLE MR. JUSTICE R. MAHADEVAN

W.P.Nos.31905 to 31908 of 2015
and M.P.Nos.1 of 2015

M/s.Kostal NTTF Automotive India Limited .. Petitioner in all the WPs
Rep by V.Rajesh Authorised Signatory
T 12/13 1st East Cross Road
Gandhi Nagar Katpadi

Vs

The Commercial Tax Officer
Gudiyatham (East) No.127
Gandhi Road, Gudiyatham 632 602 .. Respondent in WPs

Writ Petitions filed under Article 226 of the Constitution of India seeking a writ of certiorarified mandamus calling for the records on the files of the respondent in TIN 33134244255/2009-10 to 2012-13 respectively dated 20.7.2015 received on 7.8.2015 and quash the same as being arbitrary invalid and illegal and further direct the respondent to pass orders on merits on the petition for rectification dated 29.6.2015 and 31.8.2015 filed by the petitioner after grant of personal hearing and opportunity.

For petitioner Mr.T.Pramodkumar Chopda for M/s Surana and Surana

For respondent Mr.V.Haribabu, AGP(T)

COMMON ORDER

Heard the learned counsel for the petitioner and Mr.V.Haribabu, learned Additional Government Pleader (Taxes), who took notice for the respondent and with their consent, the main writ petitions are taken up for disposal.

2. Though the writ petitions have been filed challenging the orders of the respondent dated 20.7.2015 for the assessment years in question and to direct the respondent to pass orders on merits on the petitions for rectification dated 29.6.2015 and 31.8.2015 filed by the petitioner, after providing an

opportunity of personal hearing, when the matters are taken up for hearing, the learned counsel for the petitioner submitted that it would suffice if a direction is given to the respondent to dispose of the said petitions filed under Section 84 of the TNVAT Act filed by the petitioner, which are still pending consideration till date within a time frame.

3. Pointing out certain errors apparent on the face of the record, the petitioner moved petitions under Section 84 of the TNVAT Act for the assessment years in question and the said petitions are still pending consideration.

4. Hence, in view of the submission made by the learned counsel for the petitioner that the pending petitions filed under Section 84 of the TNVAT Act may be directed to be disposed of within a time frame, without going into the merits of the matters, the writ petitions are disposed of by directing the respondent to consider the said petitions within a period of four weeks from the date of receipt of a copy of this order, after affording an opportunity of personal hearing to the petitioner. No costs. Connected miscellaneous petitions are closed.

Sd/-
Asst.Registrar (CS II )

/true copy/

Sub Asst. Registrar

rg

To
The Commercial Tax Officer
Gudiyatham (East) No.127
Gandhi Road, Gudiyatham 632 602

+4 ccs to M/s.Surana & Surana, Advocate, sr.54891
+1 cc to Special Government Pleader, sr.55382

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kra 16/10