

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 26.02.2015

Coram

The Honourable Mr.Justice S.VAIDYANATHAN

W.P.No.5068 of 2015

M/s.Statex Mills
rep.by its Managing Director,
K.Subramaniyan

... Petitioner

vs.

The Deputy Commercial Tax Officer,
Palladam Roving Squad,
Tiruppur

.... Respondent

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of certiorarified mandamus to call for the records of the respondent in GDR No.20231/2014-15 and OR No.221/2014-15 and quash the proceedings dated 11.11.2014 issued therein and further direct the respondent to refund the sum of Rs.90,000/- collected as "C" fees.

For Petitioner : Mr.A.Thiyagarajan

For respondent : Mr.V.Haribabu,A.G.P.(T)

ORDER

The petitioner has come forward with this writ petition seeking for a writ of certiorarified mandamus to call for the records of the respondent in GDR No.20231/2014-15 and OR No.221/2014-15 and to quash the proceedings, dated 11.11.2014, issued therein and further direct the respondent to refund the sum of Rs.90,000/- collected as "C" fees.

2.The claim of the petitioner for refund of money collected as fees, cannot be decided by this Court. The petitioner will have to approach the authority concerned, making necessary representation. Hence, this Court, without rendering any finding on the merits of the matter, directs the petitioner to make a representation for refund of money and the authority concerned shall consider the same and pass appropriate orders on merits, after hearing the petitioner in person. The petitioner is directed to make an appropriate representation

within a period of 15 days from the date of receipt of a copy of this order. On receipt of such representation, the authority concerned shall consider and pass orders on merits and in accordance with law, within a period of one month from the date of personal hearing.

3.The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

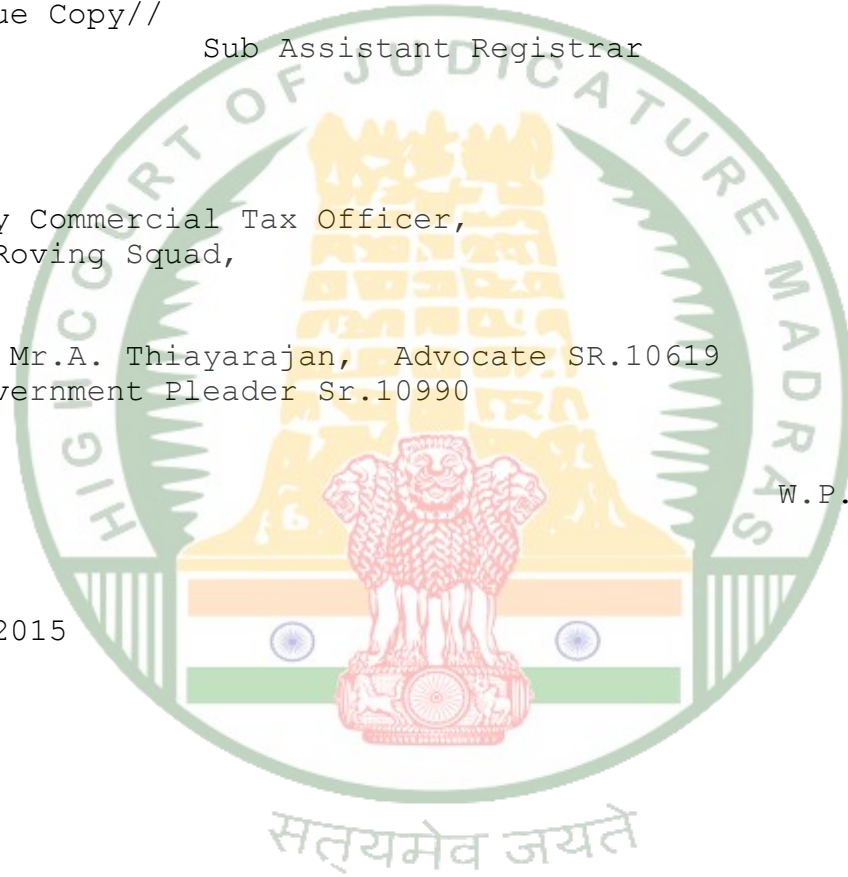
msk

To
The Deputy Commercial Tax Officer,
Palladam Roving Squad,
Tiruppur

+ 1 cc to Mr.A. Thiayarajan, Advocate SR.10619
+ 1 cc Government Pleader Sr.10990

RJ(CO)
EU 11.03.2015

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