

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2015

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.9587 of 2015

M/s.Lafarge Boral Gypsum India Pvt. Ltd. [Petitioner]
Rep. by its Authroised Signatory
No.110 Nelson Manickam Road
Chennai-600 029.

Vs

The Assistant Commissioner(CT)
Vadapalani Assessment Circle
Chennai-600 006. [Respondent]

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of certiorarified mandamus to call for the records of the respondent in his proceedings in Rc.No.1948/2013/A3 dated 20.03.2015 and quash the same therein and to direct the respondent to lift the bank attachment as illegal.

For Petitioner : Mr.C.Baktha Siromani

For Respondent : Mr.Kanmani Annamalai,
Additional Government Pleader (T)

O R D E R

The petitioner has come forward with this writ petition challenging the order of the respondent dated 20.03.2015 and for a direction to the respondent to lift the Bank attachment.

2. With consent of both the parties, the Writ Petition is taken up for hearing at the stage of admission itself.

3. When the matter is taken up for hearing, the learned counsel for the petitioner submitted that the petitioner is willing to deposit the tax amount demanded by the Commercial department, however, a direction may be given to the respondent to consider the case of the petitioner afresh by disposing of the petition dated 25.03.2015 filed under Section 84 of the Tamil Nadu Value Added Tax, 2006 (hereinafter referred to as "the 2006 Act", after giving an

opportunity of personal hearing to the petitioner and a further direction may be given to lift the bank attachment.

4. Since the petitioner is willing to deposit the entire amount of tax as demanded by the respondent, the respondent is directed to de-freeze the bank attachment on receipt of the tax amount payable by the petitioner. Further, Since the petition filed under Section 84 is pending with the respondent, the respondent is directed to pass appropriate orders on the same.

The writ petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

To

The Assistant Commissioner (CT)
Vadapalani Assessment Circle
Chennai-600 006.

+1 cc to Spl.government Pleader (T) SR.8676

+1 cc to M/s.C.Bakthasironmani, Advocate, SR.18416.

ppa (co)
krd 15/4

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