

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2015

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.9654 of 2015
and M.P.No.1 of 2015

Aruna Timber Depot
Rep. By its Managing Partner
Arun, 12, Mount Road, Saidapet,
Chennai-15

..Petitioner

Vs

The Commercial Tax Officer
Roving Squad
Cuddalore

..Respondent

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records on the files of the respondent herein in his G.D.N.No.535/14-15 dated 27.03.2015, quashing the same, with a direction to release the consignment on payment of tax of Rs.2,09,870/- as quantified in the Compounding Notice dated 28.03.015.

For Petitioner : Mr.N.Inbarajan
For respondent : Mr.Kanmani Annamalai, AGP.

ORDER

Mr.Kanmani Annamalai, learned Additional Government Pleader takes notice for respondent. With the consent of both sides, the Writ Petition itself is taken up for final disposal.

2. It is represented by the learned counsel for the petitioner that the petitioner is willing to pay One Time Charges determined by the respondent and on payment of such amount, the goods detained may be released.

3. In view of the submission made by the learned counsel for the petitioner, the writ petition is disposed of with an observation that it is open to the respondent-Department to impose appropriate direction for the release of the goods and on remitting such One Time Charges, the goods shall be released by the respondent. If the petitioner has got any grievance with regard to the compounding fee, that is imposed by the authority concerned, it is open to the petitioner to file revision against the same before the Joint

Commissioner as contemplated under Section 54 of the Tamil Nadu Value Added Tax Act, 2006. On remitting such One Time Charges to be determined by the respondent, the goods can be released. No costs. Consequently, connected MP is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

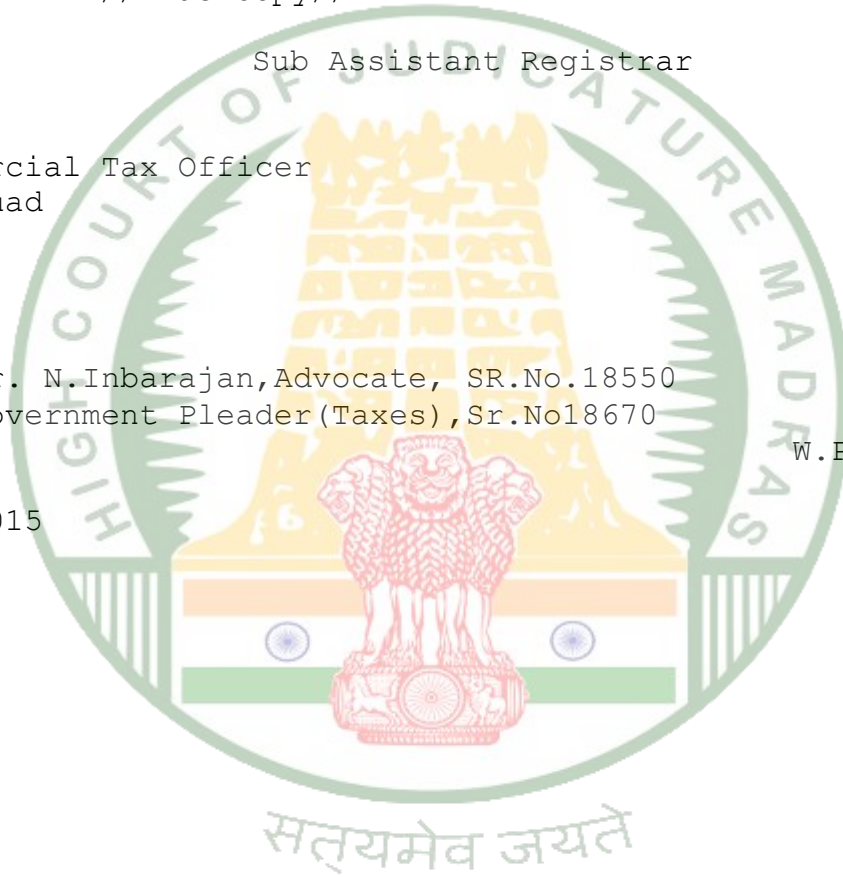
nvsri
To
The Commercial Tax Officer
Roving Squad
Cuddalore.

Copy to:

1 cc to Mr. N.Inbarajan, Advocate, SR.No.18550
1 cc to Government Pleader (Taxes), Sr.No18670

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pmk.8.4.2015



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