BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 31.07.2015
CORAM :
THE HONOURABLE MR.JUSTICE R.MAHADEVAN

Writ Petition (MD) No.13396 of 2015

Tvl.Ramani Engineering,
Rep by its Proprietor: S.Ponnambalanathan
Mahalakshmi Mills Quarters,
Palanganatham, Madurai. ... Petitioner

Vs.

The Assistant Commissioner (CT) FAC,
Madurai Rural (South) Assessment Circle,
Madurai. ... Respondent

Prayer: Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondent herein to rectify his order passed in TIN 33185163448/2012-13 dated 28.11.2014 under Section 84 of the Tamil Nadu Value Added Tax Act, 2006, pursuant to the petitioner's petition dated 19.03.2015.

For Petitioner : Mr.A.Chandrasekaran
For Respondent : Mr.R.Karthikeyan,
Additional Government Pleader

ORDER

Heard the learned counsel for the petitioner and Mr.R.Karthikeyan, learned Additional Government Pleader takes notice for the respondent. By consent, the writ petition itself is taken up for final disposal at the admission stage.

2.The petitioner seeks for a Mandamus directing the respondent to rectify the order passed in TIN 33185163448/2012-13 dated 28.11.2014 under Section 84 of the Tamil Nadu Value Added Tax Act, 2006, pursuant to the petitioner's petition dated 19.03.2015.

3.Learned counsel appearing for the petitioner would submit that the commodity code of the goods was not mentioned in the returns inadvertently, which the respondent also failed to consider. Hence, he prayed that it would be suffice if the petition under Section 84 of VAT Act of the petitioner is disposed of by the respondent, on merits and in accordance with law within the time stipulated by this Court.

4.Learned Additional Government Pleader appearing for the respondent would fairly submit that the petition filed by the petitioner under Section 84 will be considered on merits and in accordance with law.

5.In view of the above, without going into the merits of the claim made by the petitioner in this writ petition, the respondent is directed to pass appropriate orders on the petition under Section 84 of the VAT Act of the petitioner, dated 19.03.2015, on merits and in accordance with law, after giving opportunity to the petitioner, within a period of six weeks from the date of receipt of a copy of this order.

6.With the above direction, the writ petition stands disposed of. No costs.

sms

Sd/-
Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

To
The Assistant Commissioner (CT) FAC,
Madurai Rural (South) Assessment Circle,
Madurai.
1CC to Mr.A.Chandrasekaran,Advocate,SR.No.42828
1CC to Special Government pleader, Advocate,SR.No.43938

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2P/4C
AM/13.08.2015