



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.07.2015

CORAM :

THE HONOURABLE MR. JUSTICE R. MAHADEVANWrit Petition (MD) No.13440 of 2015

Writ COPY
Tvl.M.S.P.Palanisamy Nadar
Rep by its Partner C.Udayakumar,
No.11/4/27, Madurai Road,
Thiruppathur 630 211.

... Petitioner

Vs.

The Commercial Tax Officer (FAC)

Thiruppathur.

... Respondent

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari calling for the records on the file of the respondent in TIN No. 33365500036/2013-2014 dated 13.03.2015 and quash the same as illegal invalid and violative of the principles of natural justice.

For Petitioner

: Mr.A.Chandrasekaran

For Respondents

: Mr.R.Karthikeyan,

Additional Government Pleader.

ORDER

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

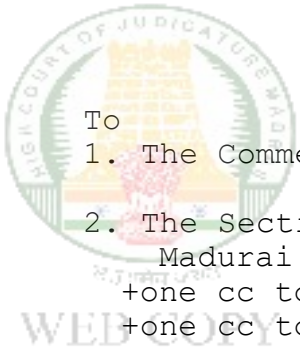
2.Though the larger relief sought for in this writ petition to quash the order passed by the respondent in TIN No. 33365500036/2013-2014 dated 13.03.2015, learned counsel for the petitioner submits that it would be suffice if the petitioner is permitted to file an appeal and on such an event he is prepared to deposit 50% of the disputed tax amount before the Appellate Authority.

3.Recording the said submission made by the learned counsel for the petitioner, the writ petition is disposed of. The petitioner is directed to pay 50% of the tax demanded within two weeks from the date of receipt of a copy of this order. On such payment, the appellate authority is directed to entertain the appeal to be filed by the petitioner without raising any objection with regard to the limitation. No costs. Consequently, M.P.(MD)No.1 of 2015 is closed.

Sd/-

Assistant Registrar(AS)

/True copy/



To

1. The Commercial Tax Officer (FAC) Thiruppathur.

2. The Section Officer, ER Section, Madrai Bench of Madras High Court, Madurai.

+one cc to A.Chandrasekaran, Advocate in SR.No.42827/15

+one cc to The special Government Pleader in SR.NO.43944/15

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2p/5c

CSL 13/08/2015.