



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.08.2015

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

Writ Petition (MD)No.15275 of 2015

Tvl.Dheepak Traders,
rep.by its Mandate holder P.Rajendran,
Madurai.

... Petitioner

Vs.

The Assistant Commissioner(CT),
Venkalakadai Street Circle,
Madurai.

... Respondent

Writ petition is filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus or order or direction in the nature of Writ of Mandamus directing the respondent to issue refund voucher for Rs.5,10,711/- as per the notice of final assessment and refund order in Form C dated 30.12.2012 issued by the respondent within the stipulated period as may be fixed by this Court.

For Petitioner : Mr.S.Karunakar
For Respondent : Mr.R.Karthikeyan
Addl.Govt.Pleader

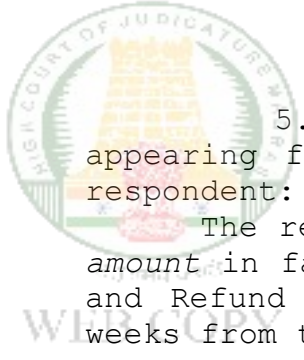
ORDER

This Writ petition has been filed praying for issuance of Writ of Mandamus directing the respondent to issue refund voucher for a sum of Rs.5,10,711/- as per the notice of final assessment and refund order in Form-C dated 30.12.2012, issued by the respondent.

2. 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.

3. Though very many contentions have been raised in the present writ petition, at the time of hearing, the learned counsel appearing for the petitioner submitted that the respondent has issued notice of Final Assessment and Refund Order on 30.12.2012 and as per the said notice, the petitioner is eligible to get Rs.5,10,711/-. But till date, the said amount was not refunded. Hence, the petitioner prays for a direction to the respondent to issue refund voucher for a sum of Rs.5,10,711/-.

4. The learned Additional Government Pleader opposing the said contention, has stated that the petitioner is eligible to get only Rs.1,24,334/- and not Rs.5,10,711/-.



5. In view of the submission made by the learned counsel appearing for the petitioner, the following direction is issued to the respondent:

The respondent is directed to issue refund voucher *for the eligible amount* in favour of the petitioner, as per the Notice of Final Assessment and Refund Order in Form-C, dated 30.12.2012, within a period of four weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

The Assistant Commissioner(CT),
Venkalakadai Street Circle,
Madurai.

+1cc to Mr.S.Karunakar, Advocate SR.No. 48921

+1cc to The Special Government Pleader, Madurai. SR.No.49460

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mj

NS/NGM-SS/SAR J/04.08.2015 : 2P/4C