

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.05.2016

CORAM

THE HON'BLE MR. JUSTICE K.K.SASIDHARAN

W.P. No.17233 of 2016

Sri Garments

...Petitioner

Vs.

Commercial Tax Officer (ENF)
Kinathukkadavu Roving Squad,
Coimbatore District- 641018

... Respondent

Prayer : Petition filed under Article 226 of The Constitution of India praying to issue a writ of certiorarified mandamus to call for the records of the respondent in his proceedings in GDR No. 34625/2016-2017 dated 11.04.2016 on the file of the Commercial Tax Officer (ENF), Kinathukkadavu Roving Squad, Coimbatore-641018 and quash the same and direct the respondent to release the Hosiery goods sent by the petitioner.

For Petitioner : Mr.Antony Jesurajan
For Respondents : Mr.V.Haribabu,
Addl. Govt. Pleader

O R D E R

By consent, the writ petition is taken up for final disposal during the time of admission.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader [Taxes] on behalf of the respondents.

3. This writ petition is directed against the proceedings dated 11.04.2016, whereby and where under, the respondent impounded the vehicle bearing registration No.HR-769616, carrying cotton hosiery goods, on behalf of the petitioner. The petitioner was directed to pay the tax for compounding the offence. Feeling aggrieved, the petitioner is before this Court.

4. The learned counsel for the petitioner submitted that without prejudice to the contentions taken in the writ petition, the petitioner is prepared to pay the tax for compounding the offence.

5. The petitioner is directed to pay the tax demanded by the respondent, vide proceedings dated 11.04.2016. Thereafter, the matter will be referred to the adjudicating authority for adjudication. The respondent is directed to release the goods and the vehicle, forthwith on payment of tax amount.

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

rms

-s/d-
Assistant Registrar/Vacation Officer

True Copy

Sub-Assistant Registrar

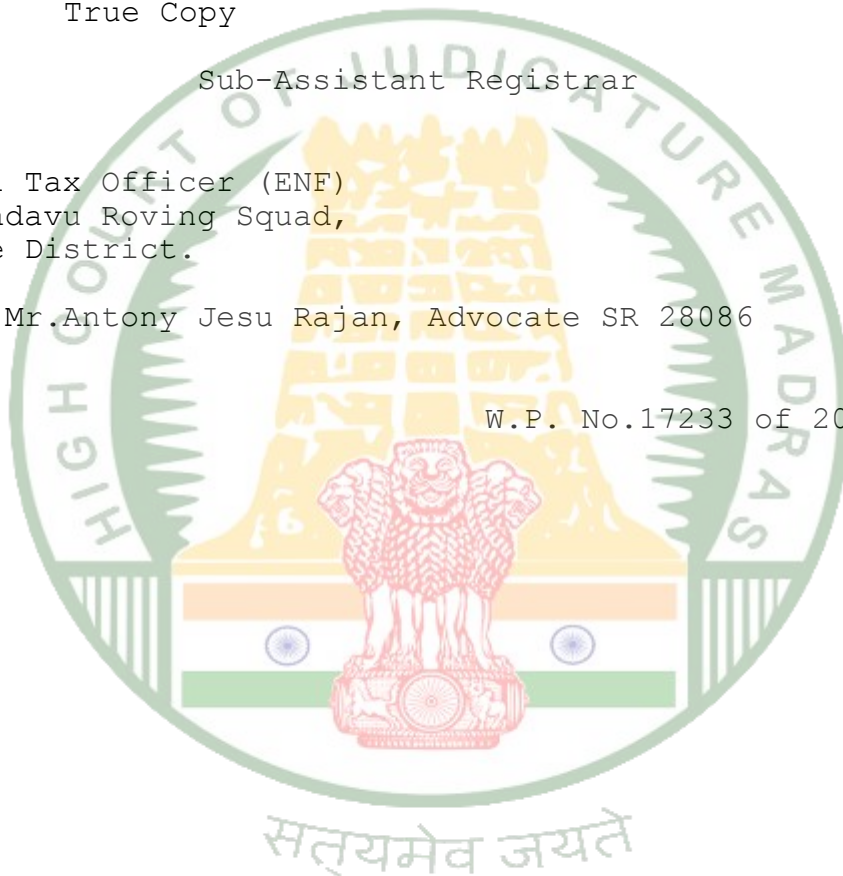
To

Commercial Tax Officer (ENF)
Kinathukkadavu Roving Squad,
Coimbatore District.

+ 1 cc to Mr. Antony Jesu Rajan, Advocate SR 28086

pvs(co)
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