

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.01.2016

CORAM

The Hon'ble Mr. Justice R. Mahadevan

Writ Petition No. 8063 of 2004
and
W.P.M.P.No. 9514 of 2004

M/s. Vel Traders,
No. 83 -B, P.V.S. Lane,
Madurai.

... Petitioner

Vs.

The Commercial Tax Officer,
Chitrakara Street Circle,
Madurai -20.

... Respondent

Prayer:- Writ petition has been filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari, to call for the records of the respondent in TNGST No. 463244/92-93, and to quash the impugned proceedings dated 11.03.2004.

For Petitioner : Mr. V. Sundareswaran

For Respondent : Mr. S. Manoharan Sundaram
Additional Government Pleader

O R D E R

As the challenge made in this Writ Petition is nothing but to a notice issued under Section 24(3) of the Tamil Nadu General Sales Tax Act, dated 11.03.2004, whereby, the respondent/assessing authority demanded for payment of interest on account of the belated payment of surcharge and additional sales tax, for which, the petitioner could have filed an objection, this Court is of the view that, it would be suffice to direct the petitioner to file objection to the notice, dated 11.03.2004, which shall be considered by the respondent and necessary orders be passed within a stipulated time. Accordingly, the Writ Petition is disposed of, by directing the petitioner to file objection to the notice, dated 11.03.2004, within a period of two weeks from the date of receipt of a copy of this order. Taking note of the fact that 11 years have elapsed from the

date of filing of this Writ Petition, the respondent/Commercial Tax Officer is directed to consider the objection, to be filed by the petitioner and pass appropriate orders within a period of four weeks thereafter, after affording an opportunity of personal hearing. If the petitioner fails to comply the same, necessary orders be passed forthwith on merits and in accordance with law. No costs. Consequently, connected M.P is closed.

Sd/-
Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

sd

To

The Commercial Tax Officer,
Chitrakara Street Circle,
Madurai -20.

1 cc to Spl.Government Pleader, (Taxes), Sr. 1239

1 cc to Mr.V. Sundareswaran, Advocate, Sr. 714

Writ Petition No.8063 of 2004

SV (CO)
kk 8/2

सत्यमेव जयते

WEB COPY