

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05-02-2016

CORAM

THE HONOURABLE THIRU JUSTICE M. DURAISWAMY

W.P.NO.33267 of 2015

and

M.P.No.1 of 2015

Schneider Electric Infrastructure Limited
represented by its Assistant Manager
(Indirect Taxation)
C. Karikalan
No.3/86-E, Ambattur Industrial Estate,
Chennai - 600 058

.... Petitioner

vs

The Assistant Commissioner (CT),
Anna Nagar Assessment Circle,
No./1B, Lakshmipuram 2nd Street,
New Avadi Road,
Villivakkam
Chennai-600 049

... Respondent

Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Certiorari to call for the records relating to the Assessment Order in CST/1121044/2013-14 dated 14.09.2015 passed by the respondent, quash the same.

For petitioner : Mr. Joseph Prabakar

For respondent : Mr.S. Manoharan Sundaram, AGP

ORDER

The petitioner has filed the above writ petition to issue a Writ of Certiorari to call for the records relating to the Assessment Order in CST/1121044/2013-14 dated 14.09.2015 passed by the respondent, quash the same.

2. The contention of the petitioner is that since Form "C" was not produced by the respondent, the respondent had passed the impugned order. Now, the petitioner had contended that the petitioner is having Form "C" with him and he is prepared to produce the same before the respondent.

3. Mr.S. Manoharan Sundaram, learned Additional Government Pleader, appearing for the respondent submitted that in the case of production of "C" form by the petitioner, the respondent is willing to re-do the assessment once again.

4. Having regard to the submissions made by the learned counsel on either side, since the petitioner is having "C" form with him and is willing to produce the same before the respondent, the impugned order can be set aside and accordingly, the impugned order dated 14.9.2015 is set aside and the petitioner is directed to produce the "C" form, "F" form and export documents to the respondent and on receipt of such documents, the respondent is directed to consider all the documents and pass fresh orders within a period of four weeks from the date of receipt of copy of this order.

5. With these observations, the writ petition is allowed. No costs. Consequently, connected MP is closed.

sd/-
Assistant Registrar (CO)

/TRUE COPY/

Sub-Assistant Registrar

sr

To

The Assistant Commissioner (CT),
Anna Nagar Assessment Circle,
No./1B, Lakshmipuram 2nd Street,
New Avadi Road,
Villivakkam, Chennai-600 049

+1 CC to MR.Joseph Prabakar Advocate. SR.NO.7862
+1 CC to Spl Govt.Pleader(T). SR.NO. 7886

W.P.NO.33267/2015

CO-RSI
JD 12/02/2016