

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 21.06.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.Nos.21039 to 21042 of 2016

&

W.M.P.Nos.18001 to 18004 of 2016

Al Ash Marketing
Represented by its Proprietor
M.Noor Ahamed
77, Vanigavalagam
Salem-636 004

.. Petitioner in all W.Ps

Vs.

The Assistant Commissioner (CT) FAC
Salem Town (South)
Salem

.. Respondent in all W.Ps

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Certiorari calling for the records on the files of the respondent herein in TIN 33682682301/2010-11 dated 06.04.2016 in TIN NO.33682682301/2011, dated 4.1.2016, in TIN No.33682682301/2012-13, dated 6.4.2016, TIN No.33682682301/2013-14, dated 6.4.2016 respectively and quash the same.

For Petitioner : Mr.N.Inbarajan
in all W.Ps

For Respondent : Mr.V.Haribabau
in all W.Ps Additional Government Pleader

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O R D E R

Heard Mr.N.Inbarajan, learned counsel for the petitioner and Mr.V.Haribabu, learned Additional Government Pleader appearing for the respondent. With the consent of learned counsel appearing on either side, the writ petition itself is taken up for final disposal.

2. The petitioner, who is a registered dealer under the Tamil Nadu Value Added Tax Act, 2006 (TNVAT Act), has filed this writ petition challenging the Orders of Assessment in respect of the Assessment Years 2010-11 to 2013-14. The petitioner's case is that though all the details were available and explained to the authority, the same have not been considered by the respondent. Therefore, the petitioner filed applications requesting for rectification of the errors, which have crept-in in the Orders of Assessment and these applications were sent by Speed Post on 08.06.2016 and the same is pending on the file of the respondent.

3. The learned counsel for the petitioner submitted that the respondent may be directed to consider the rectification petition and afford an opportunity to the petitioner and complete the assessment and rectify the errors which have crept-in.

4. Mr. V. Haribabu, the learned Additional Government Pleader, who has accepted notice on behalf of the respondent, submitted that reasonable time may be granted to the respondent to consider the petition.

5. In the light of the above, there will be a direction to the respondent to consider the petitioner's representation dated 06.06.2016 on merits and in accordance with law taking into consideration the details furnished by the petitioner and pass orders within a period of three weeks from the date of receipt of a copy of this order. Till such orders are passed, no coercive steps shall be taken against the petitioner for recovery of tax and penalty as quantified in the Assessing Orders.

The writ petitions are disposed of with the above direction. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

The Assistant Commissioner (CT) FAC,
Salem Town (South),
Salem.

+1cc to Mr.N.Inbarajan, Advocate Sr.33987

+1cc to the Special Government Pleader Sr.34779

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srg 29/06/2016



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