

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.06.2016

CORAM

THE HONOURABLE Mr. JUSTICE T.S.SIVAGNANAM

W.P.No.21289 of 2016

and

W.M.P.Nos.18232 & 18233 of 2016

M/s.Sri Velmurugan Industries
Rep by its Proprietor P.Kasinathan
No.3/256-A, Chinthamani Main Road
Rajaman Nagar Bus Stop
Madurai - 625009 ... Petitioner

...Vs...

The Deputy Commercial Tax Officer
Check Post Officer
Katpadi Check Post
Kalpudur
Vellore District. ... Respondent

Prayer:

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus to call for the records in G.D Notice 1526/2016-17 dated 17.06.2016 issued by the respondent and to quash the same as illegal, arbitrary and in violation of the provisions of the TNVAT Act and direct the respondent to release the consignments detained on 17.06.2016.

For Petitioner : Mr.S.Karunakar

For Respondent : Mr.S.Kanmani Annamalai, A.G.P.,

ORDER

Heard Mr.S.Karunakar, learned counsel appearing for the petitioner and Mr.S.Kanmani Annamalai, learned Additional Government Pleader appearing for the respondent and with the consent of the either side, the writ petition itself is taken up for final disposal.

2.The petitioner has come forward with the present writ petition challenging the goods detention notice dated 17.06.2016. The learned counsel for the petitioner on

instructions submitted that the petitioner is ready and willing to pay the one time tax at 5%, quantified at *** Rs.41,640/-** The learned Additional Government Pleader submits that the goods may be directed to be released subject to payment of one time tax.

3.In the light of the above, the writ petition is disposed of with a direction to the petitioner to remit the one time tax quantified at *** Rs.41,640/-** On such remittance, the goods in question shall forthwith be released. It is thereafter open to the petitioner to work out this other remedies under the provisions of the Tamil Nadu Value Added Tax Act. Consequently, connected miscellaneous petitions are closed. No costs.

pgp

Sd/-
Assistant Registrar(CS-IV)22/6/16

/true copy/ Sub Asst. Registrar

*** Paras 2 * 3, Amended as per Order of this Court
Dated 24/6/16 and made in WMP.NO.18769/16 in
WP.NO.21289/16**

-s/d-
Assistant Registrar(CS-IV)24/6/16

To

The Deputy Commercial Tax Officer
Check Post Officer
Katpadi Check Post
Kalpudur
Vellore District.

*** To be Substituted to the Order
already Despatched on 23/06/16**

+ 1 cc to Mr.S.Karunakar Advocate SR 34440

rsy(co)
prk22/6

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