

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 26.08.2016

Coram

The Hon'ble Mr.Justice T.S.Sivagnanam

Writ Petition No.31617 of 2013

Sre Dhanvijay Testiles Pvt. Ltd.,
rep. by Director Mr.K.Vijayshankar.

...Petitioner

Vs

1. The Commercial Tax Officer,
Central Enforcement Wing-2, Coimbatore.

2 The Assistant Commissioner (CT)
Mettupalayam Assessment Circle,
Coimbatore.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, directing the second respondent to refund the amount of Rs.5,00,000/- collected at the time of inspection done by the first respondent, which is without authority, as claimed by the petitioner, in their letter, dated 01.04.2013. within a time frame.

For Petitioner : Mr.MD.Ghafoorur Rahman

For Respondents : M/s.Vasudha Thiagarajan
Additional Government Pleader

सत्यमेव जयते
O R D E R

Heard Mr.MD.Ghafoorur Rahman, learned counsel appearing for the petitioner, and M/s.Vasudha Thiagarajan, learned Additional Government Pleader for the respondent.

2. In this Writ Petition, the petitioner seeks for a direction to the second respondent to refund the amount of Rs.5,00,000/- collected by the first respondent, at the time of inspection done at the place of business of the petitioner.

3. Though three years have been elapsed, it is not known as to whether the assessment for the relevant years has been completed.

4. The learned counsel appearing for the petitioner reports that he is unable to get in touch with the petitioner, as their cell phone numbers are not reachable.

5. The learned Additional Government Pleader for the respondent submits that, cheque has already been encashed, and the amount has been appropriated towards the tax dues.

6. In the light of the above, the Writ Petition is closed, leaving it open to the petitioner to workout their remedy, at the time when the assessment for the relevant year is taken up, if not already completed. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1. The Commercial Tax Officer,
Central Enforcement Wing-2, Coimbatore.
- 2 The Assistant Commissioner (CT)
Mettupalayam Assessment Circle,
Coimbatore.

+1 cc to the Special Government Pleader Taxes,
High Court Madras sr 48951

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