

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2016

CORAM

THE HON'BLE Mr. JUSTICE M.DURAISWAMY

W.P.No.31773 of 2013
and M.P.No.1 of 2013

V.Suganya Devi

... Petitioner

Vs.

1.The Assistant Commissioner of Central Excise,
Ministry of Finance,
Department of Revenue,
Government of India,
No.1, Vallalar Nagar,
Manjakuppam,
Cuddalore - 607 001.

2.The Chief General Manager,
Neyveli Lignite Corporation,
Neyveli - 607 203.

... Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus to direct the respondents to consider the representation of the petitioner dated 05.09.2013 and settle the dues outstanding to the petitioner's partnership firm "R.S.V. Constructions" for the services provided to the 2nd respondent from 2007 without reference to the service tax dues of the husband of the petitioner to the respondents within a reasonable time as may be fixed by this Court.

For Petitioner : Mr.P.Seshadri

For Respondents: Mr.K.Ramakrishna Reddy (R1)

Mr.N.Nithianandam (R2)

O R D E R

The petitioner has filed the above Writ Petition to issue a writ of mandamus to direct the respondents to consider the petitioner's representation dated 05.09.2013 and settle the dues outstanding to the petitioner's partnership firm "R.S.V. Constructions" for the services provided to the 2nd respondent from 2007 without reference to the service tax dues of the husband of the petitioner to the respondents within a reasonable time.

2.The learned counsel appearing for the petitioner submitted that the 1st respondent may be directed to consider the petitioner's representation dated 05.09.2013 and pass orders within a stipulated time.

3.Mr.K.Ramakrishna Reddy, learned Senior Central Government Standing Counsel appearing for the 1st respondent submitted that the 1st respondent may be directed to consider the petitioner's representation dated 05.09.2013 and pass orders in accordance with law.

4.Having regard to the submissions made by the learned counsel on either side, taking note of the fact that the petitioner's representation given in the year 2013 has not yet been disposed of by the 1st respondent, I direct the 1st respondent to consider the petitioner's representation dated 05.09.2013 and pass orders, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. The 1st respondent is also directed to communicate the order passed in the petitioner's representation to the petitioner.

5.With these observations, the Writ Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

va
To

1.The Assistant Commissioner of Central Excise,
Ministry of Finance, Department of Revenue,
Government of India,
No.1, Vallalar Nagar,
Manjakuppam, Cuddalore - 607 001.

2.The Chief General Manager,
Neyveli Lignite Corporation,
Neyveli - 607 203.

+1cc to Mr.N. Nithianandam, Advocate, S.R.No.13369

+1cc to Mr.K. Ramakrishna Reddy, Advocate, S.R.No.12993

+1 cc to MR. P. Seshadri, Advocate sR.12998

RSY(CO)
EU(31/03/2016)

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