

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 19.07.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.10890 of 2004

T.Palani

... Petitioner

Versus

1. The Commercial Tax Officer,
T.Nagar (South) Assessment Circle,
No.46, Greenways Road,
Chennai-600 028.
2. The Commercial Tax Officer,
Villupuram - 605 101.
3. The District Collector,
Villupuram District, Villupuram.
4. The Tahsildar,
Villupuram.
5. The Village Administrative Officer,
Poyapakkam Village,
Villupuram District.
6. M/s.S.L.P.Oils Limited,
1st Main Road, No.63, C.I.T.Nagar,
Chennai-600 035.

... Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, to forbear respondents 1 to 5 from in any way initiating any recovery proceedings against the movable and immovable properties of the petitioner under the Tamil Nadu Revenue Recovery Act, 1864 for the arrears of sales tax due from M/s. S.L.P.Oils Limited, the sixth respondent herein.

For Petitioner : No appearance

For Respondents : Mr.V.Haribabu
Additional Government Pleader

O R D E R

None appears for the petitioner. From the order sheet, it is seen that even when the Miscellaneous Writ Petition was heard in the year 2008, there was no representation. The petitioner seeks for a Writ of Mandamus to forbear the respondents from in any way initiating any recovery proceedings against the movable and immovable properties of the petitioner. The provocation for filing such a Writ Petition is on the ground that a notice has been issued by the respondent, dated 07.09.2013. If according to the petitioner, the properties owned by him are not liable for attachment, the first thing to be done by the petitioner is to file objection before the Authorities and without doing so, he cannot rush to this Court, by filing this Writ Petition. Furthermore, even though the Writ Petition was admitted on 22.04.2004, no interim order was granted. Hence, the Writ Petition is dismissed with the above observation. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

r n s

To

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4. The Tahsildar,
Villupuram.
5. The Village Administrative Officer,
Poyapakkam Village,
Villupuram District.

+1cc to the Special Government Pleader(T), S.R.No.40749
W.P.No.10890 of 2004

AK(CO)

CA(02/08/2016)