

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.8.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

Writ Petition No.28828 of 2016

M/s. Deepak Engineering Works, rep.by
its Managing Partner-K.K.Sadanandan ...Petitioner

Vs

The Assistant Commissioner (CT),
Palladam Circle,
Palladam, Tirupur District. ...Respondent

PETITION under Article 226 of The Constitution of India
praying for the issuance of a Writ of Mandamus directing the
respondent herein to refund the excess ITC of Rs.14,43,987/-
carried forward from August 2014 to May 2016 as per
representation made by the petitioner dated 26.07.2016.

For Petitioner : Mr. S.Rajasekar
For Respondent : Mr.K.Venkatesh, GA

ORDER

Mr.K.Venkatesh, learned Government Advocate accepts notice
for the respondent. Heard both. By consent, the writ petition
itself is taken up for final disposal.

2. This writ petition has been filed seeking a direction to
the respondent to refund the excess input tax credit of
Rs.14,43,987/-, which is alleged to have been carried forward
from August 2014 to May 2016, as per the representation made by
the petitioner dated 26.07.2016.

3. Though such a positive direction was sought for, the
learned counsel appearing for the petitioner submits that the
petitioner will be satisfied if the representation is considered
on merits.

4. The learned Government Advocate appearing for the
respondent submits that reasonable time may be granted to the
respondent to consider the representation.

5. In the light of the above, without going to the merits of the claim made by the petitioner, the writ petition is disposed of with a direction to the respondent to consider the representation of the petitioner dated 26.07.2016 on merits and in accordance with law, pass a speaking order and communicate the same to the petitioner, within eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

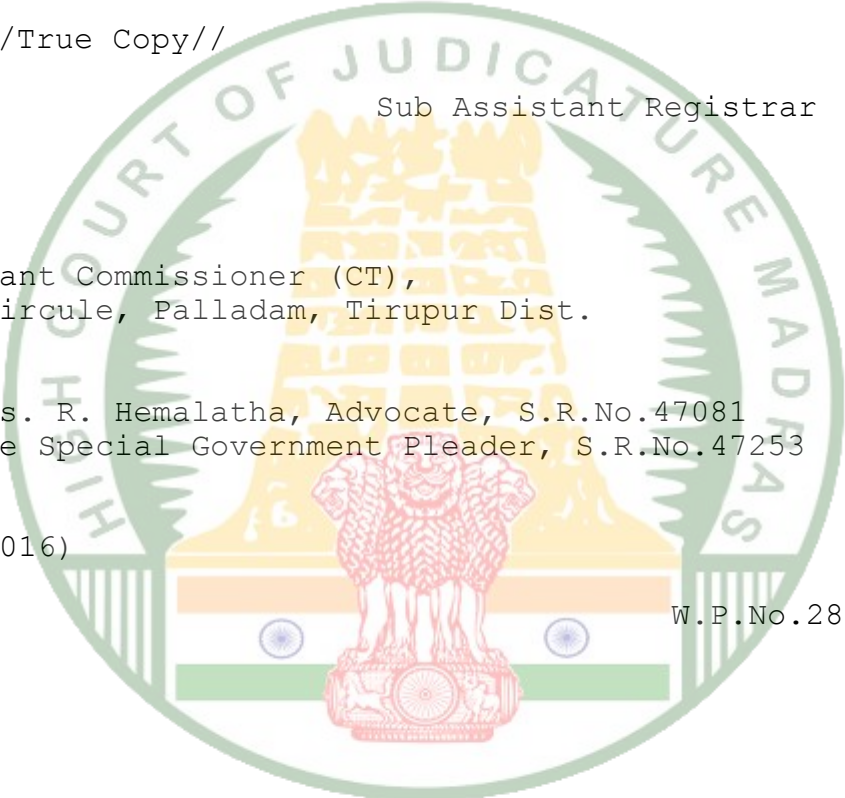
To

The Assistant Commissioner (CT),
Palladam Circule, Palladam, Tirupur Dist.

+1cc to Mrs. R. Hemalatha, Advocate, S.R.No.47081
+1cc to the Special Government Pleader, S.R.No.47253

SR(CO)
EU(06/09/2016)

W.P.No.28828 of 2016

The seal of the High Court of Madras is a circular emblem. It features a central golden temple gopuram (tower) with a red lion capital of Ashoka in front of it. The gopuram is set against a background of green and orange horizontal stripes. The words "HIGH COURT OF JUDICATURE MADRAS" are inscribed in a green circle around the central image. Below the seal, the Sanskrit motto "सत्यमेव जयते" (Satyameva Jayate) is written in Devanagari script.

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