IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.9.2016

CORAM :

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

Writ Petition No.33900 of 2016 &
WMP.Nos.29268 & 29269 of 2016

Tvl.Foxteq Services India Pvt.
Ltd., rep.by Muzeebur Rahaman,
Authorized Representative ... Petitioner

Vs

The Deputy Commercial Tax Officer,
Check Post Officer, Puzhal,
Pethikuppam Checkpost,
Gummidipoondi. ... Respondent

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records on the file of the respondent, quash the detention notice and release the vehicle along with the detained goods vide Goods Detention Notice No.9091/2016-17 of 16.9.2016 and the consequential compounding notice G.D.No.9091/2016-17 dated 21.9.2016.

For Petitioner : Ms.P.M.Anuradha

For Respondent : Mr.K.Venkatesh,
Government Advocate(T)

ORDER

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

2. The petitioner has challenged a goods detention notice as well as a compounding notice issued by the respondent, by which, the goods in question have been detained by the respondent for verification of the genuineness of the transaction.

3. The learned counsel for the petitioner, on instructions, submits that for the present, the petitioner did not wish to go into the merits of the controversy raised by the respondent in the impugned notices, but would agree to pay the one time tax on being quantified by the respondent and that thereafter, the petitioner will invoke the other remedies available to them under the provisions of the Tamil Nadu Value Added Tax Act, 2006.

4. In the light of the above submission made by the learned counsel for the petitioner, the writ petition is disposed of with a direction to the respondent to quantify the one time tax and intimate the same to the petitioner within a period of 24 hours from the date of receipt of a copy of this order. After receiving such intimation, the petitioner shall remit the one time tax. On such remittance, the goods in question along with the vehicle shall be released forthwith. Thereafter, it is open to the petitioner to work out their remedies in terms of the provisions of law. No costs. Consequently, the above WMPs are closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

RS

To

The Deputy Commercial Tax Officer,
Check Post Officer, Puzhal,
Pethikuppam Checkpost, Gummidipoondi.

+1cc to Mr.Mohammed Shaffiq, Advocate, S.R.No.55089
+1cc to the Special Government Pleader(T), S.R.No.55078

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NM(CO)
CA(27/09/2016)