

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 10.11.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.Nos.39315 & 39316 of 2016

1 M/s.Delhi Baroda Road Carriers
(P) Ltd. By its Authorized Signatory
Mr. Akhilesh Kumar Pandey No.9/1C Kurinji
Nagar Nettapakkam Pudhucherry-605 106. ... Petitioner
in both the W.Ps.

Vs

1 The Deputy Commercial Tax
Officer Kandamangalam Check Post @
Lingareddipalayam. Respondent in
both the W.Ps.

Prayer : Writ Petitions have been filed under Article 226 of the
Constitution of India to issue Writ of Certiorari, to call upon
the connected records of the Goods Detention Notice
Nos.3718/2016-2017 and 3717/2016-2017, dated 26.10.2016,
respectively, passed by the respondent herein and quash the same.

For Petitioner : Mr.Adithya Reddy in both the W.Ps

For Respondent : Mr.K.Venkatesh, G.A. in both the W.Ps.

COMMON ORDER

Heard Mr.Adithya Reddy, the learned counsel for the
petitioner and Mr.K.Venkatesh, the learned Government Advocate,
who accepts notice on behalf of the respondent and with the
consent of either side, the writ petitions are taken up for
final disposal.

2. The petitioner in these writ petitions challenges the
goods detention notices issued by the respondent, by which the
respondent has detained the goods with a view to safe-guard the
interest of the revenue. After the notices were issued, the
respondent has also issued compounding notices.

3. The learned counsel for the petitioner submits that without prejudice to the petitioner's right, they are willing to pay 'one time tax', as quantified by the respondent and prays for release of the goods and the vehicles.

4. The learned Government Advocate submits that if the petitioner pays 'one time tax', appropriate orders will be passed.

5. In the light of the above, the petitioner is directed to remit 'one time tax' as quantified by the respondent in the notices, dated 26.10.2016, at Rs.80,493/- (Rupees eighty thousand four hundred and ninety three only) in each writ petitions and if the same are paid, the goods shall forthwith be released along with the vehicles. Thereafter, it is open to the petitioner to file a revision before the concerned Joint Commissioner, challenging the compounding notice.

The writ petitions are disposed of accordingly. No costs.

Sd/-

Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

To

The Deputy Commercial Tax
Officer Kandamangalam Check Post @
Lingareddipalayam.

+2 cc's to M/s.Adithyareddy, advocate,sr.64684, 686

+1 cc to Spl.Government Pleader,sr.64779.

ak(co)

krd 10/11

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