

In the High Court of Judicature at Madras

Dated : 25.11.2016

Coram :

The Honourable Mr. Justice T.S. SIVAGNANAM

Writ Petition No.41533 of 2016

M/s. Trade Wings Logistics India Pvt. Ltd.,
Rep. by its Authorised Signatory,
No.713, Anna Salai, Pachari Road,
Chennai - 600 006.

...Petitioner

Vs

The Deputy Commercial Tax Officer,
Ranipet (Out) Checkpost,
Serkadu

... Respondent

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Certiorari and Mandamus to call for the records of the respondent in his proceedings, in G.D.No.2551/2016-17 dated 20.11.2016 and quash this detention order and direct the respondent to release the goods.

For Petitioner : Mr.C.Bakthasiromoni

For Respondent : Mr.S.Kanmani Annamalai

Additional Government Pleader

ORDER

Heard Mr.C.Bakthasiromoni, learned counsel for the petitioner and Mr.S.Kanmani Annamalai, learned Additional Government Pleader accepting notice for the respondent and with their consent, the writ petition itself is taken up for final disposal.

2. In this writ petition, the petitioner challenges a Goods Detention Notice-cum-Compounding Notice, in and by which, the goods transported by the petitioner have been detained by the respondent on the ground that the documents which were accompanied the goods were defective.

3. The learned counsel for the petitioner submitted that though the reasons assigned in the Detention Notice are not correct, since the goods are urgently to be transported, they are ready and willing to pay the one time tax.

4.The learned Additional Government Pleader for the respondent submits that if one time tax is paid by the petitioner, appropriate orders may be passed.

5.Accordingly, there will be a direction to the petitioner to pay the one time tax which has been quantified at Rs.1,50,606/- and on payment of the same, the goods shall forthwith be released thereafter. Liberty is granted to the petitioner to file a revision before the concerned Joint Commissioner challenging the impugned Detention Notice-cum-Compounding Notice.

6.With the above direction , the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

Sgl

To

The Deputy Commercial Tax Officer,
Ranipet (Out) Checkpost,
Serkadu

+lcc to Mr.C. Bakthsironmani, Advocate, S.R.No.69079
+lcc to the Spl.Government Pleader, (Taxes) S.R.No.69225

sm(CO)
md(25/11/2016)

WP.No.41533 of 2016

WEB COPY