

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.04.2017

CORAM:

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.6277 OF 2017

AND

W.M.P No.6767 OF 2017

Sirmax Engineering India (P) Ltd.,
Rep. By its Director,
K.Sakthivel,
42, Manal Thottam, Coimbatore.
Now at S.F.No.7/2, Sathy Road,
Kovilpalayam, Sarkarsamakulam,
Coimbatore 641 107.

..Petitioner

Vs

The Commercial Tax Officer,
Ganapathy Assessment Circle,
Coimbatore.

..Respondent

Prayer:-Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of certiorari to call for the records on the files of the respondent herein in CST.855365/2010-11 dated 07.02.2017, quashing the same.

For Petitioner : Mr..N.Inbarajan

For Respondent : Mr. K.Venkatesh
Government Advocate

WEB COPY

ORDER

Heard Mr.N.Inbarajan, the learned counsel appearing for the petitioner and Mr.K.Venkatesh, learned Government Advocate appearing for the respondent.

2.Though this writ petition is filed challenging the order of assessment dated 07.02.2017, the learned counsel appearing for the petitioners submitted that they have filed an application under section 84 of the TN VAT Act, 2006 sent by the registered post on 16.03.2017 and therefore, the

respondent may be directed to consider the said application and pass orders on the same.

3.Learned Government Advocate appearing for the respondent submits that if any such application is filed, the same will be considered and appropriate orders will be passed on merits and in accordance with law.

4.Considering the above stated facts and circumstances and the submissions made by the learned counsels appearing on either side, this writ petition is disposed of only by directing the respondent to consider the application filed by the petitioner under section 84 of the above said Act and pass orders on the same on merits and in accordance with law, after giving due opportunity of hearing to the petitioner. Such exercise shall be done by the respondent within a period of four weeks from the date of receipt of a copy of this order. Till an order is passed under section 84 of the said Act, the respondent is directed not to take any coercive steps against the petitioner. No costs. The connected miscellaneous petition is closed.

-sd-

Assistant Registrar

//True copy//

Sub Assistant Registrar

vri

To

The Commercial Tax Officer,
Ganapathy Assessment Circle,
Coimbatore.

C.C. to Mr.N.Inbarajan. Advocate SR.NO.20551

C.C. to The Special Government Pleader (Taxes)
SR.NO.20587

W.P.No.6277/2017

RJ (CO)
VS 13.04.2017