

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 06.01.2017

Coram

The Honourable Mr.JUSTICE RAJIV SHAKDHER

Writ Petition No.468 of 2017
and WMP Nos.495 to 497 of 2017

Tvl.Manjunatha Engineering
Industries Pvt. Ltd., rep. by
its Director,
No.6-C, SIPCOT, Phase-I,
Industrial Complex,
Hosur.

... Petitioner

Vs.

1. The Assistant Commissioner (CT),
Namakkal Town.
2. The Assistant Commissioner (CT),
Hosur North, Hosur.
3. Manjunatha Engineering Industries,
(firm registered under Karnataka VAT Act),
Shed No.B-48, Rajaji Nagar Industrial Estate,
Bangalore-10. Respondents

Prayer : Writ Petition filed under Article 226 of The Constitution of India praying for the issuance of Writ of Certiorari calling for the order of the first respondent dated 27.03.2014 in CST 887797/2008-09, and the records of the second respondent in consequential notice OL.SL.No.701, dated 25.05.2016 and quash the same.

For Petitioner : Mr.Adithya Reddy

For Respondents: Mr.K.Venkatesh,
Govt. Advocate for RR1 and 2

O R D E R

1. Issue notice. Mr.K.Venkatesh, accepts notice on behalf of respondent Nos.1 and 2.

1.1. In view of the order that I propose to pass, no notice need be issued to respondent No.3.

2. With the consent of counsel for parties, the Writ Petition is taken up for hearing and final disposal.

3. This writ petition is directed against the order dated 27.03.2014, passed by respondent No.1.

3.1. The petitioner herein claims to be the successor-in-interest of a partnership firm by the name Manjunatha Engineering Industries.

4. It is the case of the petitioner that the requisite C Forms are available with it, and that the same can be produced before respondent No.1.

5. In these circumstances, writ petition is disposed of with liberty to the petitioner to file a rectification petition under Section 84 of the Tamil Nadu Value Added Tax Act, 2006 qua respondent No.1, no later than two weeks from the date of receipt of a copy of the order.

5.1. The petitioner will produce the requisite C Forms in original before respondent No.1. Pending disposal of the rectification petition, no coercive measures will be taken against the petitioner.

5.2. Needless to say, if, the petitioner fails to file the rectification petition within the time frame stipulated above, the protection granted by this Court will stand automatically dissolved. 5.3. Resultantly, the writ petition and the pending applications are closed. No costs.

Sd/-
Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

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To

1. The Assistant Commissioner (CT),
Namakkal (Town).

2. The Assistant Commissioner (CT),
Hosur-North. Hosur

1 cc to Spl.Government Pleader, Sr. (Taxes), Sr. 1721
1 cc to M/s. Adithya Reddy, Advocate, Sr. 2011

W.P.No.468 of 2017
& WMP No.495 to 497 of 2017

AK (CO)

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