

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.05.2017

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.12749 of 2016

M/s.K.C.Garments Pvt. Ltd.,
Represented by its Director - Jitender Khanna
No.6/1/20-A, Ranganathanpuram I Street,
Rayapuram, Tirupur - 641 601. Petitioner

Vs.

1. The Assistant Commissioner (CT)
Tirupur (Central-II) Circle
Tirupur.
2. The Commercial Tax Officer, (Enf)
Group-I, Tirupur. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, to direct the 1st respondent to refund the sums forcibly and illegally collected by the 2nd respondent through respective cheques bearing Nos.0019546/18.09.2015 for Rs.17,15,000/-, 0019547/18.09.2015 for Rs.17,15,000/-, 0019548/18.09.2015 for Rs.12,86,250/- and 0019549/18.09.2015 for Rs.12,86,250/- from this petitioner at the time of inspection on 18.09.2015.

For Petitioner : Mrs.R.Hemalatha

For Respondents : Mr.S.Kanmani Annamalai
Additional Government Pleader (Tax)

O R D E R

Today, the matter is listed before this Court in a special sitting during summer vacation. Both sides agreed for taking up the matter for final disposal, though the counter affidavit is not filed.

2. The petitioner seeks for a writ of mandamus, directing the first respondent to refund the sums said to have been collected by the second respondent at the time of inspection on 18.09.2015. Though, the writ petition is filed with such prayer, the learned counsel for the petitioner submitted that suffice a direction is issued to the first respondent to consider the representation made

by the petitioner on 17.03.2016, seeking for such refund.

3. The learned Additional Government Pleader (Tax) submitted that the said representation dated 17.03.2016 will be considered and orders will be passed on merits and in accordance with law.

4. Considering the above stated facts and circumstances and without expressing any view on the claim made by the petitioner, I only direct the first respondent to consider the representation dated 17.03.2016 and pass orders on the same, on its own merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. No costs.

-sd/-
Assistant Registrar

/ TRUE COPY /

Sub-Assistant Registrar

mk

To

1. The Assistant Commissioner (CT)
Tirupur (Central-II) Circle
Tirupur.
2. The Commercial Tax Officer, (Enf)
Group-I, Tirupur.

+1 cc to M/S.R.HEMALATHA Advocate SR.NO. 37016

सत्यमेव जयते

WP.No.12749 of 2016

vsn[co]
RD 17/05/2017

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