

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2017

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.11129 of 2017  
and  
W.M.P.Nos.12064 & 12065 of 2017

Tvl. SP Traders  
Represented by Mr.Soban Babu  
No.2/223, Main Road, Ambedkar Nagar,  
Thuthipet, Ambuar. .... Petitioner

Vs.

The Commercial Tax Officer  
Gudiyatham (West). .... Respondent

Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari, to call for the records of the respondent in Order dated 30.11.2015 in TIN No.33874343758/2013-14 and quash the same.

For Petitioner: Mr.Adithya Reddy  
For Respondent : Mr.K.Venkatesh  
Government Advocate

ORDER

Mr.K.Venkatesh, learned Government Advocate, takes notice for the respondent. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner is aggrieved by the order of assessment dated 30.11.2015 passed in respect of assessment year 2013-2014. It appears that the petitioner has not replied to the notice of proposal and consequently the Assessing Officer has passed the impugned order of assessment.

3. The learned counsel for the petitioner submitted that though this writ petition is filed challenging the order of assessment, suffice a direction is issued to the respondent to consider their application dated 25.02.2017 filed under Section 84 of the Tamil Nadu Value Added Tax Act, 2006.

4. Considering the above stated facts and circumstances and submissions made by the learned counsel for the petitioner, this writ petition is disposed of, only with a direction to the respondent to consider the application of the petitioner dated 25.02.2017 filed under Section 84 of the Tamil Nadu Value Added Tax Act, 2006 and pass orders 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. No costs. Consequently connected miscellaneous petitions are closed.

Sd/-

Asst.Registrar (CS VIII )

/true copy/

Sub Asst. Registrar

To

The Commercial Tax Officer  
Gudiyatham (West).

+1 cc to M/s.Adithya Reddy, advocate, sr.26263

+1 cc to Spl.Govt.Pleader, sr.36602.

mk(co)  
krd 4/5

W.P.No.11129 of 2017

सत्यमेव जयते

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