

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2017

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THE HONOURABLE MR.JUSTICE RAJIV SHAKDHER

W.P.No.2330 of 2017

M/s.Toshiba JSW Generator Pvt Ltd.,
Represented by its Chief Financial Officer
Shinzo Kameoka

... Petitioner

Vs.

1 The Assistant Commissioner (CT)
Cholavaram Assessment Circle,
No.22, Jawaharlal Nagar 1st Street,
Redhills,
Chennai – 600 052.

2 The Joint Commissioner (CT)(RP) (North)
C.T.Buildings
Greaves Road,
Chennai – 600 006.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the second respondent herein to dispose the revision petition filed by the Petitioners under Section 54 of the Tamil Nadu Value Added Tax Act, 2006 and pending in R.P.No.52/2015 and arising out of the adjudication of the First Respondent herein in TIN.33220863804/ 2015-2016 dated 29.05.2015.

For Petitioner : Mr.N.Prasad
For Respondent : Mr.K.Venkatesh
Government Advocate

O R D E R

1.Issue Notice. Mr.K.Venkatesh, learned Government Advocate, accepts notice on behalf of the respondents. With the consent of the learned counsels for parties, the writ petition is taken up for hearing and final disposal.

2.The limited prayer made in the writ petition is that the revision petition lodged before the second respondent should be taken up for hearing and final disposal.

3.Learned counsel for the petitioner has taken me through the record.

3.1.According to the petitioner, the revision petition was lodged with the second respondent on 23.06.2015 and thereafter, the application for stay came up for hearing on 19.05.2016.

3.2.It is the contention of the learned counsel for the petitioner that though the application for stay was heard, no orders have been pronounced to date.

4.I am further informed that as a matter of fact on 24.08.2016,

the petitioner moved an application for disposal of the revision petition on merits and that on this application as well, no orders have been passed by the second respondent.

4.1.It appears that the petitioner thereafter moved another application on 10.11.2016 which met with the same fate. It is in these circumstances, the petitioner has approached this Court, for a direction to the second respondent to dispose of the revision petition.

5.Mr.Venkatesh, who appears for the respondents says that he cannot come in the way of expedited hearing.

6.Accordingly, having regard to the aforesaid facts and circumstances and given the fact that other petitions of 2015 have been disposed of by the revisional authority (see pages 15-17 and 18-19 of the typed set of papers), I see no reason, not to direct the second respondent to dispose of the petitioner's revision petition.

6.1.It is ordered accordingly.

6.2.The second respondent, will hear and thereafter, dispose of the revision petition, pending before him, by a speaking order with due expedition, though, not later than six weeks from the date of receipt of a copy of the order passed today.

RAJIV SHAKDHER,J.

7.The writ petition is accordingly, disposed of. However, there shall be no order as to costs.

01.02.2017

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Index: Yes/ No
Internet: Yes/ No

To

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