

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.06.2017

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.14276 of 2017

M/s.Vikas Knotrols Private Limited,
Rep. by its Director
No.11/4, Sivakamipuram 2nd Street,
Tiruvanmiyur,
Chennai - 600 041. ... Petitioner

Vs.

1. The Assistant Commissioner (CT)
Thiruvanmiyur Assessment Circle,
No.141, 1st Floor, Yazhini Complex,
1st Main Road, Burma Colony,
Perungudi, Chennai 600 096.
2. The Commercial Tax Officer,
Thiruvanmiyur Assessment Circle,
No.141, 1st Floor, Yazhini Complex,
1st Main Road, Burma Colony,
Perungudi, Chennai 600 096. ... Respondents

Prayer :

Writ petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the 1st respondent to consider and dispose of the representation of the petitioner dated 08.10.2016 with a consequent direction to the respondent to refund the amount of tax paid in excess along with interest in accordance with law within a time frame.

For Petitioner : Mr.Md.Ghafoor Ur Rahman

For Respondents : Mr.K.Venkatesh
Government Advocate

O R D E R

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

2. The petitioner seeks for a mandamus directing the first respondent to consider their representation dated 8.10.2016, with further direction to the respondent to refund the amount of tax paid in excess along with interest.

3. Heard both sides.

4. The grievance of the petitioner is that the respondents have not refunded the excess amount paid by the petitioner, as admitted by the second respondent in the revised order dated 13.08.2012. According to the petitioner a sum of Rs.4,32,246/- (Rupees Four Lakhs Thirty Two Thousand Two Hundred and Forty Six only) along with interest is liable to be paid by way of refund to the petitioner. In any event, as the petitioner has made a representation dated 8.10.2016 and the said representation is said to be still pending, the respondents are directed to pass appropriate orders on the said representation, without loss of further time, however, within a period of two weeks from the date of receipt of a copy of this order.

5. The Writ petition is disposed of, accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mk/ms

To

1. The Assistant Commissioner (CT)
Thiruvanniyur Assessment Circle,
No.141, 1st Floor, Yazhini Complex,
1st Main Road, Burma Colony,
Perungudi, Chennai 600 096.

2. The Commercial Tax Officer,
Thiruvanniyur Assessment Circle,
No.141, 1st Floor, Yazhini Complex,
1st Main Road, Burma Colony,
Perungudi, Chennai 600 096.

+1cc to Mr.M.D.Ghafoorur, Advocate, S.R.No.40889
+1cc to the Government Pleader, S.R.No.40927

W.P. No. 14276 of 2017

NR(CO)
RS(03/07/2017)