

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2017

CORAM

THE HONOURABLE MR.JUSTICE RAJIV SHAKDHER

W.P.No.3502 of 2017

And

W.M.P.No.3513 of 2017

M/s.Ambattur Infra Developers

Rep by Partner Vijay M Mahtaney

... Petitioner

Vs.

Commissioner of Service Tax

Service Tax I Commissionerate

Survey, Intelligence & Research Section

2054-1, II Avenue

Anna Nagar, Chennai 600 040.

... Respondent

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent not to recover any further amount from the petitioner in any manner in terms of Sec.87 of the Finance Act, 1994 without following the provisions of Sec.73 of the Finance Act in respect of proceedings initiated from file C.No.IV/06/14/2015-ST I-SIR (GR I).

For Petitioner : Mr.G.Natarajan

For Respondent : Mr.A.P.Srinivas

सत्यमेव जयते
O R D E R

1.It appears that the petitioner has filed this writ petition based on an apprehension that without adjudication, his bank accounts may be attached. The apprehension appears to emanate from the summons dated 24.01.2017.

2.Mr.A.P.Srinivas, who appears on advance notice says that a perusal of the summons would show that the petitioner has only been called for the purpose of recording his statement and, to submit the balance sheet as also details of his bank account.

2.1.Furthermore, Mr.Srinivas, says that the summons issued, by itself, should not create any apprehension in the mind of the petitioner; at least not at this stage.

2.2.Mr.Srinivas, also assures the Court that no precipitative steps will be taken against the petitioner, without following due process of law.

3.Having regard to the submissions made by Mr.Srinivas, the learned counsel for the petitioner, at this stage, says he does not wish to press the petition.

4.Accordingly, the writ petition is disposed of as not pressed. Consequently, the connected pending application is also closed. However, there shall be no order as to costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

Commissioner of Service Tax
Service Tax I Commissionerate
Survey, Intelligence & Research Section
2054-1, II Avenue
Anna Nagar, Chennai 600 040.

+1cc to Mr.Jaikumar, Advocate, S.R.No.9314
+1cc to Mr.Srinivas, Advocate, S.R.No.9418

AK(CO)
RS(24/02/2017)

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