

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2017

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THE HONOURABLE MR.JUSTICE RAJIV SHAKDHER

W.P.No.19 of 2017

And

W.M.P.Nos.14, 15 and 3388 of 2017

M/s.Anchor Electricals Pvt Ltd.,
Represented by its Senior Executive - Sales Accounts
and Authorized Signatory
Mr.V.Rajesh

... Petitioner

Vs.

1 The Assistant Commissioner (CT)
Nungambakkam Assessment Circle,
Chennai - 600 031.

2 The Manager
State Bank of India,
Nungambakkam Branch
No.110/1, Uthamar Gandhi Salai,
Nungambakkam High Road,
Chennai - 600 034.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari Mandamus to call for the impugned proceedings of the first respondent in CST: 163482 / 2012-13 to 2014-15 dated 28.12.2016 and the Form U dated 28.12.2016 addressed to the second respondent and quash the same and further direct the first respondent to pass revised assessment orders for the assessment years CST 2012-2013, CST 2013-2014 and CST 2014-2015 on the strength of the C declarations available with the petitioner and also based on the petitioner's applications dated 29.12.2016.

For Petitioner
For Respondents

: Mr.P.Rajkumar
: Mr.K.Venkatesh for R1
Government Advocate

O R D E R

1.Mr.Rajkumar, who appears for the petitioner says that pursuant to the order dated 02.01.2017, the first respondent has revised the order dated 18.12.2016.

1.1.The learned counsel submits that the revised order was passed on 03.01.2017. As per the said order, the demand qua, tax was brought down from Rs.56,48,565/- to Rs.10,05,551/-.

1.2.I am informed by the learned counsel that the said amount has been deposited with the first respondent. A photocopy of the letter dated 03.01.2017, issued by the first respondent to the second respondent Bank has been placed on record.

2.Mr.Venkatesh, who appears for the first respondent, affirms the aforesaid position.

3.Accordingly, learned counsel for the petitioner says that the second respondent should be directed to release the sum of Rs.56,48,565/- which is being held in trust by the said entity pursuant to the directions contained in the order dated 02.01.2017.

4.In view of what is stated before me, by the learned counsel for the petitioner, which is, affirmed by Mr.Venkatesh, who appears for the first respondent, I see no difficulty in the second respondent complying with the communication dated 03.01.2017 addressed to it by the first respondent.

5.Accordingly, the second respondent is directed to release the sum of Rs.56,48,565/- to the petitioner in view of the aforementioned facts and circumstances.

6.The writ petition is disposed of in the aforementioned terms. Consequently, the connected pending applications are also closed. However, there shall be no order as to costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

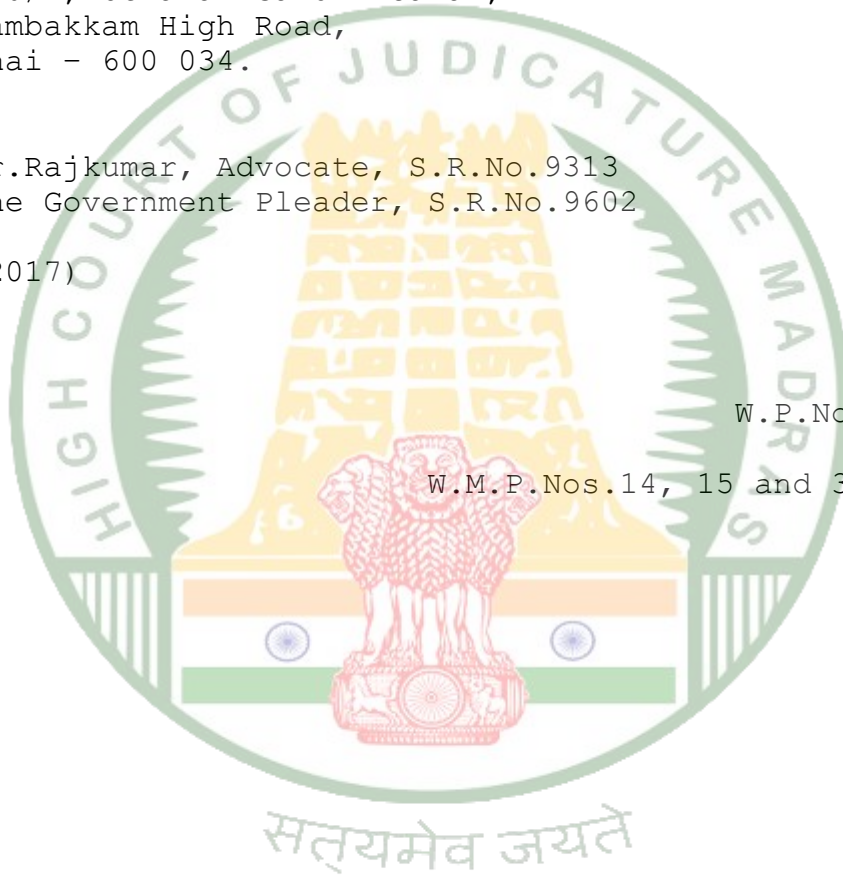
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To

- 1 The Assistant Commissioner(CT)
Nungambakkam Assessment Circle,
Chennai - 600 031.
- 2 The Manager
State Bank of India,
Nungambakkam Branch
No.110/1, Uthamar Gandhi Salai,
Nungambakkam High Road,
Chennai - 600 034.

+1cc to Mr.Rajkumar, Advocate, S.R.No.9313
+1cc to the Government Pleader, S.R.No.9602

RS(16/02/2017)



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