

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2017

CORAM

THE HON'BLE MR.JUSTICE T.S.SIVAGNANAM

WRIT PETITION NO.44261 OF 2016

AND

W.M.P.NO.38109 OF 2016

EVIO Private Limited,
rep. by its Manager (Project)
N Venugopal,
F-14, Nandjyot Industrial Estate,
Andheri -Kurla Road,
Sakinaka,
Andheri (E) Mumbai - 400 072.Petitioner

Vs.

The Deputy Commercial Tax Officer,
Kandamangalam Check Post,
Lingireddypalayam.Respondent

Writ Petition, filed under Article 226 of the Constitution of India, for issuance of Writ of Certiorari to call for records on the file of the respondent in GD.No.3733/2016-17, dated 13.12.2016, and to quash the same.

For Petitioner : Mr.N.Prasad

For Respondent : Mr.K.Venkatesh
Government Advocate

ORDER

The petitioner has challenged the Goods Detention Notice issued by the respondent, dated 13.12.2016.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate for the respondent.

3. On payment of one time tax, goods have been released. The petitioner is ready and willing to file Revision Petition as against the Goods Detention Notice, and the only request made by the learned counsel for the petitioner to this Court is to

direct the Revisional Authority to consider the Revision Petition within a time frame.

4. The abovesaid request made by the learned counsel for the petitioner appears to be reasonable, as the Statutory Authority should give finality to the proceeding within a reasonable time.

5. In the light of the above, the Writ Petition stands disposed of, by directing the petitioner to file Revision Petition before the Revisional Authority as against the order impugned in this Writ Petition, (viz., the Goods Detention Notice) within a period of three weeks from the date of receipt of a copy of this order. On receipt of such Revision Petition, the Revisional Authority shall consider the Revision Petition and pass orders on merits and in accordance with law, within a period of twelve weeks, from the date on which the Revision Petition is filed, after affording an opportunity of personal hearing to the petitioner. No costs. Consequently, connected Writ Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1. The Deputy Commercial Tax Officer,
Kandamangalam Check Post,
Lingireddypalayam.
2. The Joint Commissioner of Commercial Taxes,
Vellore.

+1cc to Mr.N.Inbarajan, Advocate, S.R.No.46263

Writ Petition No.44261 of 2016

VD(CO)
CS/29/08/17