

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.10.2017

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.48813 of 2006 & M.P.No.1 of 2006

Malpani & Co., rep. by its Proprietor,
Rajendra Kumar Malpani,
31, 1st Gandhipuram,
Erode-638 003.

... Petitioner

Vs.

The Commercial Tax Officer (FAC),
Park Road Circle, Erode.

... Respondent

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorari, to call for the records on the files of the respondent herein in Asst.No.2860283/01-02 dated 14.11.2006 and quash the order dated 14.11.2006.

For Petitioner : Mr.N.Inbarajan

For Respondent : Mr.K.Venkatesh,
Government Advocate

O R D E R

Heard Mr.N.Inbarajan, learned counsel appearing for the petitioner and Mr.K.Venkatesh, learned Government Advocate appearing for the respondent.

2.The petitioner has filed this writ petition challenging the show cause notice dated 14.11.2006, passed under the provisions of the Tamil Nadu General Sales Tax Act, 1959 for the assessment year 2001-02. On similar facts, several other dealers challenged the assessment order and the matter was heard by a Hon'ble Division Bench of this Court in the case of Hotel Shri Kannan vs. State of Tamil Nadu and another, reported in (2007) 8 VST 97 (Mad) as well as before this Court in the case of M/s.Abishek Exports and another vs. The Commercial Tax Officer, Erode in W.P.Nos.25419 & 25420 of 2005 dated 09.08.2017.

3.Hence, following the said orders, the petitioner herein is directed to submit their objections to the impugned show cause notice, supported with materials they propose to rely upon, of course placing reliance on Circular D.Dis.Acts Cell II/75893/99, dated 24.12.1999, as amended by the clarification No.91/2000, D.Dis.Acts Cell II/52300/2000, dated 04.10.2000, within thirty days from the date of receipt of a copy of this order and the same shall be forwarded to the respective Assessing Authority to the Commissioner of Commercial Taxes.

Accordingly, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

abr

To

The Commercial Tax Officer (FAC),
Park Road Circle, Erode.

+ 1 cc to M/s. Inbarajan, Advocate SR.72833

W.P.No.48813 of 2006

RSI (CO)
EU(09/11/2017)

सत्यमेव जयते

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