

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2017

CORAM

THE HONOURABLE Mr.JUSTICE T.S.SIVAGNANAM

W.P.No.25683 of 2004

M/s Balaramakrishna Flour Mills ... Petitioner

Vs.

The Commercial Tax Officer,
T.Nagar (East) Assessment Circle,
No.46, Greenways Road,
Chennai - 600 028. Respondent

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari, to call for the records of the respondent in Rc.No.1064/91/A3, and to quash the public auction sale notice dated 16.04.2004 issued therein.

For Petitioner : Mr.B.Ravindran

For Respondent : Mrs.S.Narmadha Sampath
Special Government Pleader

O R D E R

Heard Mr.B.Ravindran, the learned counsel appearing for the petitioner and Mrs. S. Narmadha Sampath, the learned Special Government Pleader appearing for the respondent.

2. The petitioner has filed this Writ Petition, praying for a Writ of Certiorari, to quash the public auction sale notice, dated 16.04.2004, for recovery of the sales tax arrears payable by the petitioner.

3. The petitioner has availed the benefits of the Samadhan Scheme, and the tax payable by the petitioner for the relevant years appears to have been settled, and a Certificate of Settlement of Arrears has been issued by the Joint Commissioner (CT), Chennai (Central) Division dated 28.07.2014 bearing SR.SL.Nos.139/2011-2012, 297/2011-2012, 241/2011-2012 and 242/2011-2012.

4. The grievance of the petitioner is that, though sales tax arrears have been settled, the Assessing Officer has

not intimated the same to the petitioner.

5. In the light of the subsequent developments, the petitioner is directed to appear in person before the Assessing Officer and produce the original certificates of Settlement of Arrears, and the same shall be verified by the Assessing Officer and if it is found to be ordered, lift the order of attachment of the petitioner's property forthwith.

msm

Sd/-

Assistant Registrar

/TRUE COPY/

Sub-Assistant Registrar

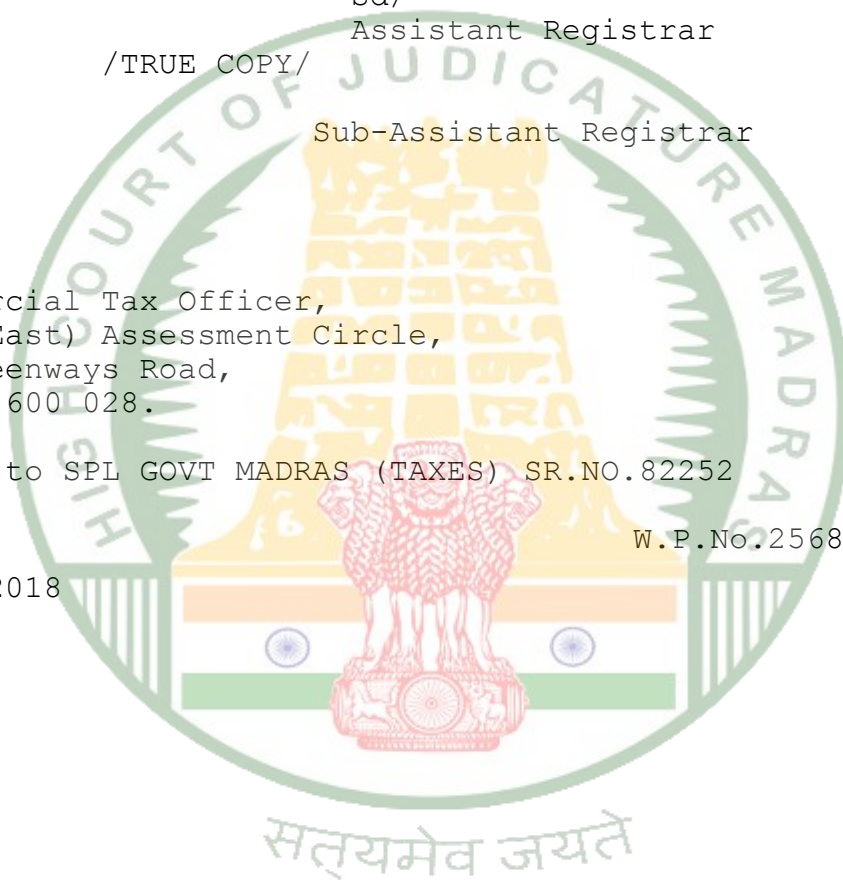
To

The Commercial Tax Officer,
T.Nagar (East) Assessment Circle,
No.46, Greenways Road,
Chennai - 600 028.

+1CC to SPL GOVT MADRAS (TAXES) SR.NO.82252

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MK:20/02/2018



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