



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.07.2017

CORAM:

THE HONOURABLE Mr.JUSTICE T.RAJA

W.P. (MD) No.13187 of 2017

M/s.L.G.Shenbagarajan,
Rep. by its Proprietor Mr.Shenbagarajan,
23-J, Compost Yard Street,
Jeyam Ginning Factory Compound,
Periakulam Road, Theni.

... Petitioner

Vs.

The Assistant Commissioner (CT),
Theni - II Assessment Circle,
Theni.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking for issuance of a Writ of Mandamus, directing the respondent to give effect to the appeal order in A.P.173/2016 (TNVAT) for the year 2010-11, dated 10.04.2017 by passing revised order and to refund the amount of taxes paid in excess along with interest due thereon in accordance with law.

For Petitioner : Mr.R.D.Ganesan

For Respondent : Mr.R.Karthikeyan
Additional Government Pleader

O R D E R

The petitioner has approached this Court to give effect to the appeal order in A.P.173/2016 (TNVAT) for the year 2010-11, dated 10.04.2017, by passing a revised order and to refund the amount of taxes paid in excess along with interest due thereon in accordance with law.

2.As the issue has already been covered by order of this Court in W.P.(MD)No.11348 of 2013, dated 17.07.2013, in a similar matter. In view of that, there shall be a direction, directing the respondent to give effect to the appeal order dated 10.04.2017, by passing a revised order and refund the amount of tax paid in excess along with interest to the petitioner in accordance with law, if there are no legal impediments, within a period of four weeks from the date of receipt of a copy of this order.



3.The Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(Crl side)

/True Copy/

WEB COPY

Sub Assistant Registrar

To

The Assistant Commissioner (CT),
Theni - II Assessment Circle,
Theni.

+1cc to Mr.R.D.Ganesan, Advocate in SR.No.65968

+1cc to Special Government Pleader in SR.No.66407

smn2/gsp

AE/KP/SAR1/26.07.2017/2P/4C

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