



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.10.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P. (MD) No.18417 of 2017

M/s.Classic Marbles and Granites,
Represented by its Proprietor R.Selvam,
22, TPK Road, Bykara, Madurai. ... Petitioner

-vs-

The Commercial Tax Officer,
Madurai Rural (South Assessment Circle),
Madurai. ... Respondent

PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondent to consider the representation dated 21.06.2017 and give effect to the order of the Appellate Deputy Commissioner (CT), Madurai South in TNVAT AP No.52/2015 dated 17.06.2016 and issue a refund voucher for the assessment year 2013 - 2014 as prescribed in Section 42(5) of the TNVAT Act within stipulated period as may be fixed by this Court.

For Petitioner : Mr.S.Karunakar

For Respondent : Mr.R.Raja Karthikeyan
Additional Government Pleader.

O R D E R

By consent of both sides, this writ petition itself is taken up for final disposal.

2.Mr.R.Raja Karthikeyan, learned Additional Government Pleader, takes notice for the respondent.

3.The petitioner sought for a direction to the respondent to consider the representation dated 21.06.2017, in which he has sought to give effect to the order of the Appellate Deputy Commissioner (CT), Madurai South in TNVAT AP No.52/2015 dated 17.06.2017 and issue a refund voucher for the assessment year 2013-14 under Section 42(5) of the Tamil Nadu Value Added Tax Act within a stipulated period.

<https://hcservices.ecourts.gov.in/hcservices/>

4.The learned Additional Government Pleader submitted that



the respondent does not intend to file any counter in the writ petition and that the respondent shall pass orders on the aforesaid representation dated 21.06.2017 within a period of twelve weeks from today.

5. Recording the statement made by the learned Additional Government Pleader, this Court without expressing any view on the entitlement and correctness of the claim made by the petitioner, hereby directs the respondent to consider the representation dated 21.06.2017 made by the petitioner and pass a reasoned order on merits in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order and file a report of compliance before the Registrar (Judicial) of this Court, within a period of one week thereafter.

6. The writ petition is disposed of with the above direction. No Costs.

Sd/-
Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

To

The Commercial Tax Officer,
Madurai Rural (South Assessment Circle),
Madurai.

Copy to:

The Registrar(Judicial)
Madurai Bench of Madras High Court,
Madurai.

+ 1 cc TO Mr.S.Karunakar , Advocate in SR No. 81687

Mrn/MR

AE/KP/SAR2/26.10.2017/2P/4C

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