

THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN

AND

THE HON'BLE MS. JUSTICE J. UMA DEVI

WRIT PETITION No. 10312 of 2017

ORDER: (*Per VRS,J*)

The petitioner has come up with the present writ petition, challenging the proposed auction of their properties for recovery of arrears of sales tax.

2. Heard Mr. K.V. Raghuveer, learned counsel for the petitioner. Mr. S. Suribabu, learned special standing counsel for Commercial Taxes (AP), takes notice for the respondents.

3. According to the petitioner, they received a notice in the year 2009, but could not produce the books of accounts, as they had been exhibited in a civil suit for recovery of money. They claim that thereafter, they did not receive either any notice or any order of assessment. But, the property is now brought to sale.

4. Assuming that no order of assessment was served on the petitioner, even then the petitioner cannot challenge the proposed auction, so long as the assessment order is not under challenge. It is up to the petitioner to obtain copies of the assessment order and take recourse to the remedies available in law. At least, insofar as one assessment year is concerned, the petitioner did, in fact, have an order

served on them way back in 2009. But, no steps appear to have been taken by them so far.

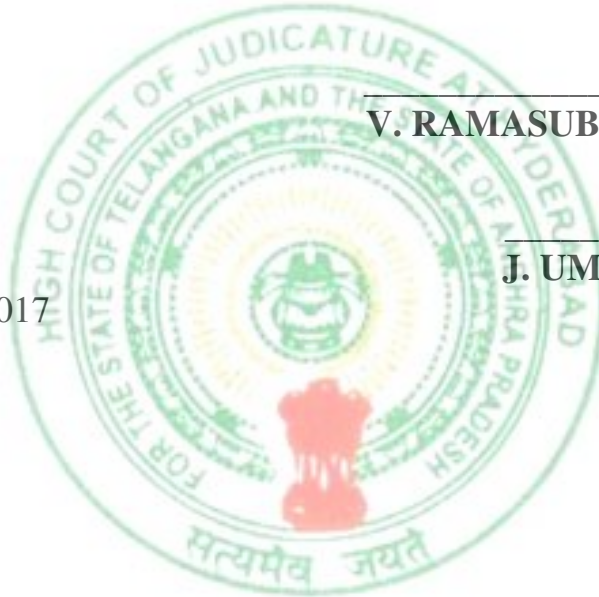
5. In any case, it is stated by the learned special standing counsel that the auction was originally scheduled to be held about six months ago, but got cancelled, due to lack of bidders. No further date is fixed for the auction. Therefore, the Writ Petition is dismissed.

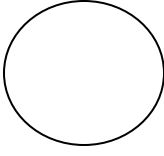
Consequently, miscellaneous petitions if any pending in the writ petition shall stand dismissed. No order as to costs.

V. RAMASUBRAMANIAN, J

J. UMA DEVI, J.

23rd March, 2017
cbs





THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN ✓
AND
THE HON'BLE MS. JUSTICE J. UMA DEVI



Writ Petition No. 10312 of 2017
(dismissed)

23rd March, 2017

cbs