

THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN

AND

THE HON'BLE MS. JUSTICE J. UMA DEVI

WRIT PETITION No. 3401 of 2017

ORDER: (*Per VRS,J*)

The petitioners, whose goods were detained along with the lorry in which they were carried, at the check-post near B.V. Palem, on the ground that the lorry, in which the goods were transported, did not stop at the check-post, have come up with the present writ petition, challenging the action of the respondents in not releasing the goods.

2. Heard Mr. A.V.A. Siva Kartikeya, learned counsel for the petitioners.

3. Mr. S. Suribabu, learned special standing counsel for Commercial Taxes (AP) appearing for the respondents, submitted that the case on hand is the fourth case as against the petitioners in succession, and that there are materials against them.

4. Be that as it may, the fact remains that there are two show-cause-notices, one dated 13.01.2017 issued in terms of Section 61AA of the Andhra Pradesh Value Added Tax Act, 2005, and another dated 21.01.2017 issued under Section 47 of the Act. The

petitioners have filed replies to the said show-cause-notices. Therefore, in view of the facts and circumstances, we deem it fit to direct the 1st respondent to pass orders on the show-cause-notices within a timeframe.

5. Accordingly, the Writ Petition is disposed of, directing the 1st respondent to pass orders on the show-cause-notices, dated 13.01.2017 and 21.01.2017, within a week of receipt of a copy of this order, so that the goods are not unnecessarily detained. If the petitioners are prepared to pay the amount demanded without prejudice to their contentions, the respondents may release the goods without waiting for passing orders.

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.

2nd February, 2017

Note: Issue C.C. today.
(b/o)
cbs



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