

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.12.2018

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.5510 of 2007

The Nonsuch Tea Estates Ltd.,
rep.by its Manager,
Ritz Building,
Coonoor-643 101,
Nilgiris.

.... Petitioner

Vs

1.The Commissioner of Land Reforms
and Agricultural Income Tax,
Chepauk, Chennai-5.

2.The District Revenue Officer /
Assistant Commissioner, Agricultural Income Tax,
Coimbatore-641 018.

3.The Agricultural Income Tax Officer,
Udhagamandalam.

.... Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the respondents to comply with the demand of the petitioners made in their notice dated 18.10.2006 by also giving effect to the report of the third respondent dated 27.11.2000.

For Petitioner : Ms.S.Aiyshwarya for
M/s.Sarvabhauman Associates

For Respondents: Mr.M.Hariharan,
Additional Govt.Pleader

O R D E R

This writ petition has been filed for a direction to the respondents to comply with the demand of the petitioners made in their notice dated 18.10.2006 by giving effect to the report of the third respondent dated 27.11.2000.

2.The case of the petitioner is that they are paying agricultural income tax regularly to the respondents and that the respondents are not returning the excess tax paid by them, which amounts to failure on the part of the respondents in discharging their public duty. The learned counsel for the petitioner has further submitted that in this connection, the petitioner has made many representations to the respondents, the last one being dated 04.01.2006, which has been made on the basis of the assessment order.

3.Mr.M.Hariharan, learned Additional Govt.Pleader, took notice for the respondents.

4.Considering the facts and circumstances of the case, the first respondent is directed to consider the representation dated 04.01.2006 made by the petitioner and pass appropriate orders on merits and in accordance with law, if the same has not been disposed of, within a period of four weeks from the date of receipt of a copy of this order.

5.The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

KM
To

1.The Commissioner of Land Reforms
and Agricultural Income Tax,
Chepauk, Chennai-5.

2.The District Revenue Officer /
Assistant Commissioner, Agricultural Income Tax,
Coimbatore-641 018.

3.The Agricultural Income Tax Officer,
Udhagamandalam.

+1cc to M/S.Sarvabhauman Associates, Advocate Sr.83055
+1cc to the Special Government Pleader SR.83209

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srg 09/01/2019