

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.12.2018

CORAM:

THE HON'BLE MR.JUSTICE R.MAHADEVAN

W.P. No. 4438 of 2008

M/s.Saradhambika paper & Board Mills (P). Ltd.,
Formerly at:No.17-B, Rajiv Nagar,
Peiya Semur, Erode District,
Now at : Sellakumarapalayam,
Polavakalipalayam Post,
Gopichettipalayam, Erode District.
Rep: by S.Adi Shankar, Executive Director.

... Petitioner

Vs.

The Commercial Tax Officer,
Chithode Assessment Circle,
Erode District.

... Respondent

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing to the respondent to consider and dispose of the application dated 11.12.2007 filed by the petitioner seeking refund of tax with consequential surcharge paid on the last purchase of waste paper in the State of Tamil Nadu for the period 16.06.2000 to 31.03.2003 in accordance with G.O.Ms.No.176 Commercial Taxes and Registration (B2) dated 28.12.2006 notified in Gazette Notn. No.II(1)/CTR/58 (d-2)/2006 dated 28.12.2006.

For Petitioner : Mr.M.D.Ghafoorur Rahman

For Respondent : Mr.M.Hariharan

Additional Government Pleader

O R D E R

The relief sought for in this writ petition is to direct the respondent to consider and dispose of the petitioner's application, dated 11.12.2007 with regard to refund of tax and consequential relief.

2. When the matter was taken up for consideration, the learned Additional Government Pleader appearing for the respondent fairly submitted that the petitioner's application if not considered earlier, would be considered on merits, within a time limit to be stipulated by this Court.

3. Considering the facts and circumstances of the case and

having regard to the submissions made by the learned counsel on either side, this writ petition stands disposed of directing the respondent to consider the petitioner's application, dated 11.12.2007, if not considered earlier, on merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

vsi2

To

The Commercial Tax Officer,
Chithode Assessment Circle,
Erode District.

+1cc to Mr.M.D.Ghafoorur Rahman, Advocate sr.no.87549
+1cc to Special Government Pleader sr.no.87499

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