

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 19.04.2018

Coram

The Hon'ble Mr.Justice T.S.Sivagnanam

Writ Petition No. 8696 of 2018

RPN Engineers Chennai Pvt. Ltd.,
Represented by its Managing Director,
Mr.P.K.Lugmmanbasha,
60, M.Block, 9th Street,
Anna Nagar East, Chennai - 102. ...Petitioner

Vs.

1. The Assistant Commissioner (CT),
Amaindakarai Circle,
F-50, Second Floor,
First Avenue, Anna Nagar,
Chennai -102.
2. The Special Commissioner and
Commissioner of Commercial Taxes,
Ezhilagam, Chepauk,
Chennai - 5. ...Respondents

Writ Petition, filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus to direct the respondents to consider the claim of refund of TDS deducted from the petitioner for the assessment years 2007-08, 2008-09, 2011-12 to 2014-15 by the Department of Railway and remitted the same to the State Exchequer.

For Petitioner : Mr.R.Kumar

For Respondents : Mr.M.Hariharan
Additional Government Pleader

O R D E R

The petitioner has filed this Writ Petition, seeking for issuance of a Writ of Mandamus to direct the respondents to consider the claim of refund of TDS deducted from the petitioner for the assessment years 2007-08, 2008-09 and 2011-12 to 2014-15 by the Department of Railway and remitted o the State Exchequer.

2. When the Writ Petition is taken up for hearing today, (19.04.2018), the learned Additional Government Pleader for the respondents, on instructions, submitted that the petitioner claim for refund will be considered by the respondents, and requests that reasonable time may be granted to the Authorities to pass orders.

3. In the light of the above stand taken by the respondent/Department, there will be a direction to the first respondent to consider the petitioner's refund application, and pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order, after affording an opportunity of personal hearing to the petitioner. No costs.

Sd/
Assistant Registrar

/True copy/

Sub Assistant Registrar

To

1. The Assistant Commissioner (CT),
Amaindakarai Circle,
F-50, Second Floor,
First Avenue, Anna Nagar,
Chennai - 102.
2. The Special Commissioner and
Commissioner of Commercial Taxes,
Ezhilagam, Chepauk,
Chennai - 5.

+1cc to Special Government Pleader (T) SR.No.29675

+1cc to Mr.R.Kumar Advocate SR.No.2936

Writ Petition No. 8696 of 2018

SDR 16.05.2018

WEB COPY