

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:20.09.2018

CORAM:

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.24988 of 2018

Mr.K.Durairaj

... Petitioner

Vs.

The Assistant Commissioner (CT),
Commercial Tax Office,
299, Bhavani Road, Perundurai - 638 052.

.... Respondent

Writ Petition filed under Article 226 of the Constitution of India praying to issue a WRIT OF MANDAMUS, directing the respondent to pass orders on the representations dated 14.05.2018 and 23.07.2018 of the petitioner, after grant of personal hearing.

For Petitioner : Mr.C.Venkatraman
For Respondent : Mr.M.Hariharan,
Additional Government Pleader (Tax)

O R D E R

Mr.M.Hariharan, learned Additional Government Pleader (Tax) takes notice for the respondent. By consent of the parties, this writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for mandamus directing the respondent to pass orders on his representations dated 14.05.2018 and 23.07.2018, wherein and whereby, he sought for raising the attachment made by the respondent on the property belonging to the petitioner. It is the contention of the petitioner that the respondent created a charge on the property belonging to the petitioner for recovery of arrears of tax of one M/s.Balaji Traders, relating to the year 1995-1996, while in fact the petitioner is neither the owner of the said firm nor has any connection whatsoever with the same. Therefore, the petitioner wanted for raising the charge created over the said property, through the said representations. The grievance of the petitioner is that, till this date, those representations are not considered by the respondent.

3. This Court, at this stage, is not expressing any view on the merits of the claim made by the petitioner, as it is for the respondent to consider and decide, after hearing the petitioner and other interested parties if any. Accordingly, this writ petition is disposed of, by directing the respondent to consider those representations of the petitioner dated 14.05.2018 and 23.07.2018 and pass orders on the same on merits and in accordance with law, after hearing the petitioner and other interested parties, if any. The said exercise shall be done by the respondent within a period of six weeks from the date of receipt of a copy of this order. No costs.

krk/mk

Sd/-
Assistant Registrar (CS-VI)

// True Copy//

Sub Assistant Registrar

To

The Assistant Commissioner (CT),
Commercial Tax Office,
299, Bhavani Road, Perundurai - 638 052.

+ 1 CC TO SPL.GOV.T.PLEADER (TAXES) HIGH COURT, MDS-104.
SR 65615

+ 1 CC TO MR.C.VENKATRAMNAN, ADVOCATE SR 65241

KR/8/10/18

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