BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 31.01.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.20456, 20458 and 20459 of 2017

Tvl.MSP Raja Furniture,
represented by its
Proprietrix M.Kamine : Petitioner in W.P(MD)No.20456/2017

Tvl.MSP Raja Glass Company
represented by its Partner
G.Mathivanan : Petitioner in W.P(MD)Nos.20458 & 20459/2017

Vs.

The Assistant Commissioner (CT)
Nethaji Road Assessment Circle,
Madurai. : Respondent in both cases

Common Prayer : Writ Petitions are filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to issue a refund voucher for the excess amount paid with interest to the petitioner under Section 42 (5) of TNVAT Act, in purusuance of the revised order passed by the respondent in TIN 33544981957/2015-16, 33074980130/2007-08 and 33074980130/ 2015-16 respectively dated 01.06.2017 within stipulated period as may be fixed by this Court.

For Petitioner in all petitions : Mr.S.Karunakar
For Respondents in all petitions : Mrs.S.Srimathy Special Government Pleader

COMMON ORDER

The petitioner in all the writ petitions seeks issuance of refund voucher for the excess amount said to have been paid by the writ petitioner.

2.The learned Special Government Pleader appearing for the respondent would submit that the department has filed a second appeal before the Sales Tax Appellate Tribunal. Therefore, the issues have not attained finality as on date.

3.Therefore, the writ petitions are closed with liberty to the writ petitioners to file fresh writ petitions, when the occasion arises. No costs.

Sd/-
Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To

The Assistant Commissioner (CT)
Nethaji Road Assessment Circle,
Madurai.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 45980
+ 3 CC TO Mr.S.KARUNAKAR, ADVOCATE IN SR Nos.45338 to 45340

ARUL
TE/KKR/SAR-4 : 13/02/2018 : 2P/6C

W.P(MD)No.20456, 20458 and 20459 of 2017
31.01.2018