

THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN
AND
THE HON'BLE MS. JUSTICE J. UMA DEVI

WP NO. 15370 of 2018

ORDER: (Per Hon'ble Sri. Justice V. Ramasubramanian)

The petitioner has come up with the above writ petition seeking a direction to the respondents to dispose of his representation.

Heard Mr. Upadhyay Raghavender, learned counsel for the petitioners and Mr. J. Anil Kumar, learned Special Standing Counsel for the respondents.

It appears that the first petitioner was a proprietary concern of which one K. Srinivas, the husband of the second petitioner was the proprietor. The first petitioner became liable to pay a sum of Rs.8,67,137/- towards arrears of VAT. But the sole proprietor seems to have died on 11.8.2015. Now the brother of the sole proprietor has come up with the above writ petition seeking a concession of payment by instalments.

On the first occasion when the writ petition came up for hearing, we directed the legal heirs of the deceased proprietor to come on record. Now the wife of the deceased proprietor has come on record as the second petitioner.

Now the only prayer is to grant the facility of payment by instalment. Since the sole proprietor of the dealer has died and someone is prepared to take responsibility, the prayer made in the writ petition merits consideration. Therefore, the writ petition is disposed of granting permission to the petitioners to pay the entire arrears of tax

together with interest accrued on the same, in ten equal monthly instalments, the first of such instalment being made on or before 10th June, 2018 and all successive instalments made on or before 10th day of every succeeding English calendar month. If the petitioners make payments of these instalments, no coercive steps shall be taken. If there is failure to make payment of instalments, default clause would come into operation.

As a sequel to thereto, miscellaneous applications, if any pending, shall stand closed. No orders as to costs.

Dt. 30.4.2018

JUSTICE V. RAMASUBRAMANIAN

JUSTICE J. UMA DEVI

NB:

CC of order be furnished in three days after carrying out amendment to the cause title as ordered in IA No. 2 of 2018.

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