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

WP NO. 27892 of 2018

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

The petitioner has come up with the above writ petition seeking issue of Writ of Mandamus to direct the respondents either to reopen the web portal or to accept the TRAN-1 and TRAN-2 forms manually filed by them on 01.06.2018 and to rectify the GST tax return uploading system and to restore the input tax credit.

2. Heard Mr. S.R.R, Viswanath, learned counsel for the petitioner and Mr. K. Lakshman, learned Assistant Solicitor General and Mr. J. Anil Kumar, learned Special Government Pleader for Commercial Taxes appearing for the respondents.

3. Innumerable writ petitions came up before this Court, complaining of the operation of the web portal relating to GST. Originally, the department came up with a circular dated 03.04.2018. As per the circular, several steps were indicated as available to the assesses, to be taken on or before 30.04.2018.

4. Complaining that even these steps did not alleviate their sufferings, the petitioner came up with the above writ petition. During the pendency of the above writ petition a fresh Circular dated 10.09.2018 has been issued. On the basis of the said circular, a Division Bench of this Court passed orders in W.P.Nos.32259 and 33573 of 2018 dated 03.10.2018. According to the petitioner, they have made a representation dated 6.7.2018 to the Joint Commissioner,

who is the Nodal Officer. It is admitted that the Nodal Officer forwarded the application/representation to the Chief Commissioner who in turn should get orders of the GST Council.

5. Therefore, the writ petition is disposed of directing the Joint/Asst. Commissioner, State Tax to forward the representation of the petitioner dated 6.7.2018 to the Chief Commissioner and further directing the Chief Commissioner to forward the said representation along with his report to the GST Council. The GST Council shall take a call and pass appropriate orders in accordance with law within a period of eight weeks. There shall be no order as to costs.

6. As a sequel, pending miscellaneous petitions, if any, shall stand closed.

JUSTICE V. RAMASUBRAMANIAN

Dt. 19.11.2018
KR

JUSTICE J. UMA DEVI

(114)

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