

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.09.2019

CORAM

THE HONOURABLE Dr. JUSTICE ANITA SUMANTH

W.P.No.17984 of 2009

M/s.Ajinomoto India Pvt.Ltd.,
No.25, Anna Salai,
Saidapet, Chennai 600015

...Petitioner

Vs.

The Assistant Commissioner (CT)
Saidapet Assessment Circle
No.3, Tank Square Street, Chennai

...Respondent

Prayer:- Writ Petitions filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records of the respondent in the impugned Notice No.CST.732287/2004-05 A3 dated 28.08.2009 and quash the same.

For Petitioner : Mr.Radhika Chandrasekar

For Respondent : Mr.Mohd. Shafiq
Special Government Pleader

O R D E R

The petitioner seeks writ of certiorari quashing order dated 28.08.2009, a garnishee order issued by the Assistant Commissioner addressed to the Branch Manager, Bank of Tokyo-Mitsubishi calling upon the Bank to withhold payments of any amounts due and payable by the Bank to the petitioner.

2. The demand arises out of an order of assessment dated 27.08.2008 that has, admittedly, attained finality. The aforesaid order has been passed on the ground of non-production of C and F forms. Post assessment, the petitioner claims to have approached the authorities with the C and F forms and requesting that the same be taken into account as, according to it, if the forms were taken into account, the demand would stand nullified or, at the least, reduced.

3. However, there is nothing on record to substantiate that such a request has been made. The records were specifically directed to be verified and the learned counsel for the Revenue,

also confirms that there is no such request or forms available on record.

4. In the light of the above, I have no choice but to dismiss this writ petition. No costs.

ska

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

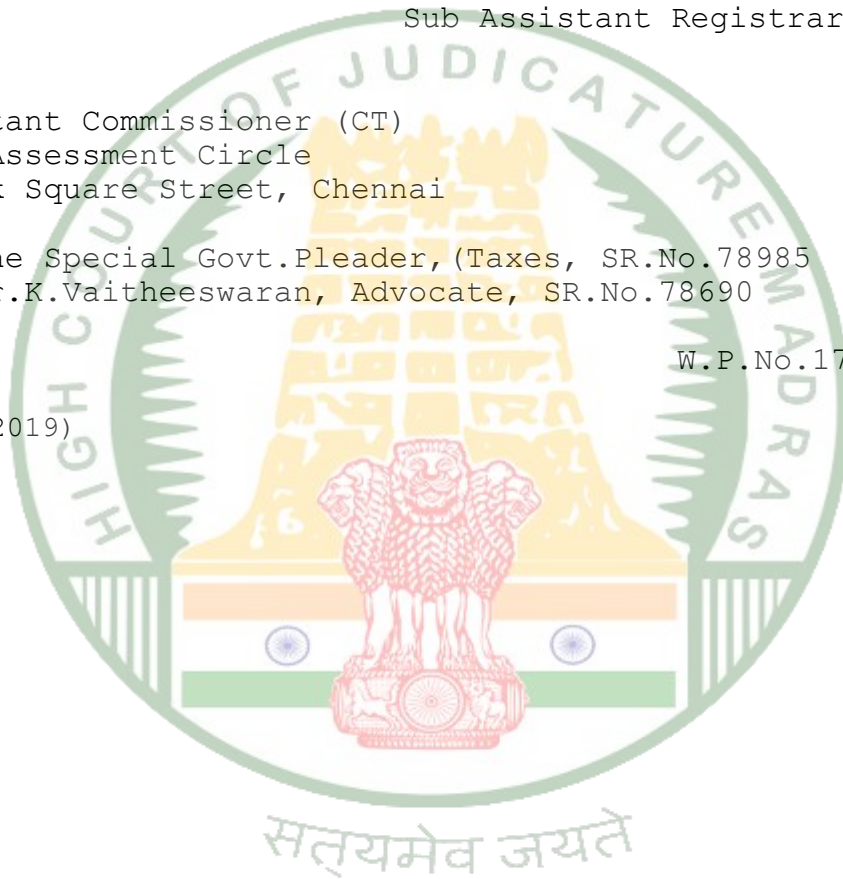
To

The Assistant Commissioner (CT)
Saidapet Assessment Circle
No.3, Tank Square Street, Chennai

+1cc to the Special Govt.Pleader, (Taxes, SR.No.78985
+1cc to Mr.K.Vaitheeswaran, Advocate, SR.No.78690

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Kak(20/11/2019)



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