

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.09.2019

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.27124 of 2019

and

WMP.Nos.26500 & 26502 of 2019

M/s.Supreme Chemical Industries
Represented by its Proprietor
Mr.G.Jayabal ...Petitioner

vs.

The Assistant Commissioner (CT) (FAC)
Cuddalore Town Assessment Circle
Cuddalore. ...Respondent

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records pertaining to the impugned recovery notice dated 04.07.2009 issued by the respondent in RC.A3/102/2019 and quash the same.

For Petitioner : Mr.G.Derrick Sam
For Respondent : Mr.M.Hariharan
Additional Government Pleader (T)

ORDER

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

2. The challenge made in this writ petition is against the consequential recovery notice dated 04.07.2019 pursuant to the order dated 15.02.2017 passed by the Assessing Officer, which was put to challenge by the petitioner in W.P.No.27119 of 2019.

3. Since this Court has allowed the said writ petition this day by separate order, and set aside the order dated 15.02.2017 and remitted the matter back to the Assessing Officer for fresh consideration, the recovery notice dated 04.07.2019 is also set aside.

4. Accordingly, this Writ Petition is allowed and the impugned recovery notice is set aside, however, with liberty to the Assessing Officer to issue fresh notice, if necessary, after passing the order as directed by this Court in W.P.No.27119 of 2019. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

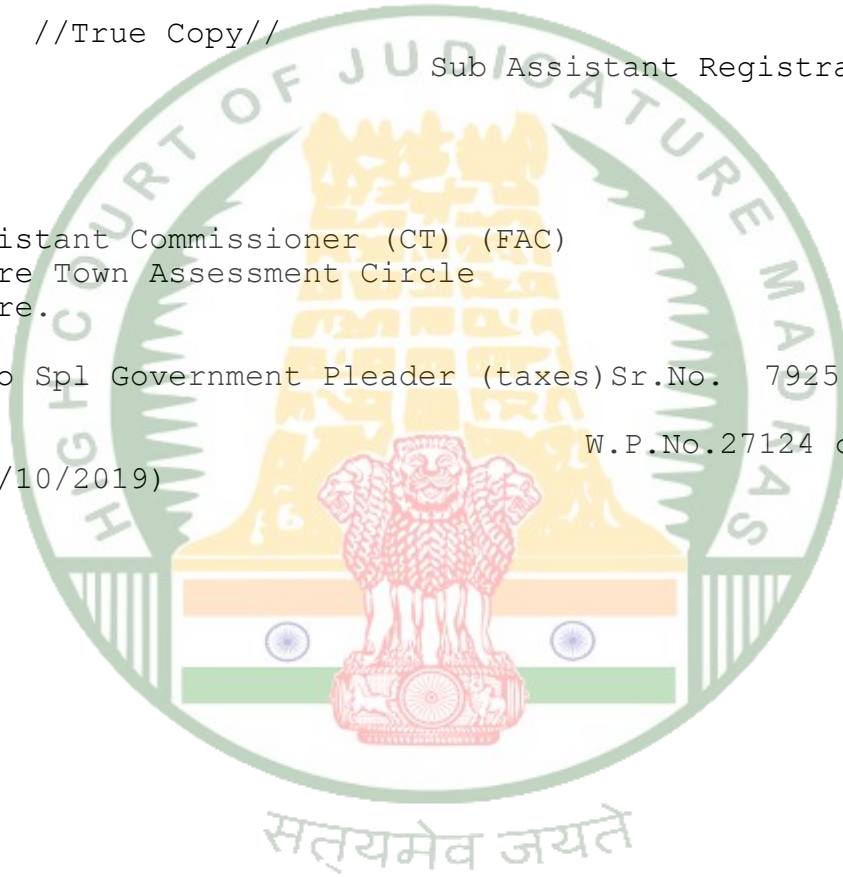
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To
The Assistant Commissioner (CT) (FAC)
Cuddalore Town Assessment Circle
Cuddalore.

+1 cc to Spl Government Pleader (taxes)Sr.No. 79259

W.P.No.27124 of 2019

A.SK(01/10/2019)



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