IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.10.2019

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.30024 of 2019

Essar Steel India Limited
Rep. by its Authorized Signator
H.Ramaswamy ...Petitioner

vs.

1. The Deputy Commissioner (ST)-II
Large Tax Payers Unit
Dugar Tower,
Marshall Road, Egmore,
Chennai-600 008.

2. The Joint Commissioner (ST)
Large Tax Payers Unit
Dugar Tower,
Marshall Road, Egmore,
Chennai-600 008. ...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to dispose of the representation dated 07.08.2019 submitted by the petitioner for sanctioning of interest under Section 42(5) of the TNVAT Act, 2006 for delayed payment of refund of tax amount of Rs.3,05,12,852/- in a time bound manner.

For Petitioner : Mr.N.Murali

For Respondents : Mr.M.Hariharan
Additional Government Pleader

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O R D E R

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

2. The petitioner seeks for mandamus directing the first respondent to dispose of the representation dated 07.08.2019, wherein and whereby, the petitioner sought for interest for delayed refund amount of Rs.3,88,58,807/-.

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3. This Court at this stage is not expressing any view on the merits of the claim made by the petitioner in the said representation, since it is for the authority concerned to consider and decide the same on merits and in accordance with law.

4. However, since the relief sought for in this writ petition is with a limited prayer, this Writ Petition is disposed of, only by directing the first respondent to consider the said representation and pass orders on the same on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Deputy Commissioner (ST)-II
   Large Tax Payers Unit
   Dugar Tower,
   Marshall Road, Egmore,
   Chennai-600 008.

2. The Joint Commissioner (ST)
   Large Tax Payers Unit
   Dugar Tower,
   Marshall Road, Egmore,
   Chennai-600 008.

+1cc to Mr.N.Murali, Advocate Sr.88938
+1cc to the Special Government Pleader Sr.88559

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srg 15/11/2019

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