



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.12.2019

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P. No.34755 of 2019
and W.M.P. No.35501 of 2019

Salila Auto Fuels
represented by its Proprietor
Mr.N.K.Sundaram

...Petitioner

Vs

1.The Commissioner,
Commercial Taxes Department,
Puducherry.

2.The Commercial Tax Officer,
Mahe, Puducherry State.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to issue 'C' form declaration by unlocking the online facility to the petitioner in TIN No.34180006863 and the present GST No.34ADQPN0818EIZN on receipt of tax arrears of Rs.63,54,010/- and interest 11,49,638/- totalling to 75,03,848/- to enable the petitioner to run the Petroleum Dealership business by considering the petitioner's representation dated 03.12.2019.

For Petitioner : Mr.K.M.Balaji

For Respondents : Mr.J.Kumaran, AGP (P)

O R D E R

Heard the learned counsel for the petitioner and Mr.J.Kumaran, learned Additional Government Pleader, who accepts notice on behalf of the respondents.

2. The prayer is for a mandamus directing the respondents to unlock the online facility and permit downloading of 'C' form declarations to enable the petitioner to run the Petroleum Dealership business.



3. Mr.Kumaran would state that such prayer is not liable to be granted, seeing as there are arrears of commercial tax and penalty due from the petitioner.

4. In representation dated 03.12.2019, the petitioner has submitted that the entire tax dues would be paid forthwith and sought six months time for paying the penalty. This request is to be considered by the respondents in accordance with law.

5. Thus, this Writ Petition is closed directing the respondents to consider representation dated 03.12.2019 and pass appropriate orders after hearing the petitioner on merits and in accordance with law within a period of two (2) weeks from date of receipt of a copy of this order. No costs. Consequently, connected Miscellaneous Petition is also closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Commissioner,
Commercial Taxes Department,
Puducherry.

2.The Commercial Tax Officer,
Mahe, Puducherry State.

+1 cc to M/s.K.M.Balaji,Advocate Sr.No. 104741

+1 cc to The Government Pleader for Puducherry, Sr.No. 104299

AKM/17.12.19/2P-5C /

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