

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.03.2020

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.11067 of 2013

M/s.Sri Rama Textiles Spinning Mills Ltd.
Rep.by its Directeor - R.G.Balaji
No.235, Mint Street
Park Town
Chennai-600 003.

...Petitioner

Vs

The Assistant Commissioner (CT),
Park Town II Assessment Circle
No.191, N.S.C.Bose Road
Wavoo Complex, 5th Floor
Chennai-600 001.

...Respondent

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the respondent herein to pass order for the assessment year 2008-2009 under the CST Act, 1956 on the petition filed by the petitioner dated 13.03.2013 under Section 84 of the TNVAT Act, 2006 as expeditiously as possible.

For Petitioner : Ms.R.Hemalatha

For Respondent : Mr.A.N.R.Jayaprathap,
Government Advocate (Taxes)

ORDER

This writ petition has been filed for a Writ of Mandamus directing the respondent herein to pass orders for the assessment year 2008-2009 under the CST Act, 1956 on the petition filed by the petitioner dated 13.03.2013 under Section 84 of the TNVAT Act, 2006 as expeditiously as possible.

2.In the petition dated 13.03.2013 filed before the respondent, the petitioner has prayed to rectify the order passed in CST/97500/2008-2009 dated 29.03.2013 and grant refund of the excess payment of tax of Rs.16,36,175/- in terms of Notification No.II(1)/CTRE/139(b)/76 dated 19.03.1976.

3. When this writ petition was taken up, the learned counsel for the petitioner has submitted that the petitioner would be satisfied if an order is passed by the respondent on the petition dated 13.03.2013 made by the petitioner, on merits and in accordance with law.

4. In reply to the above submission, the learned Government Advocate appearing for the respondent has fairly submitted that such an order would be passed within a period of two weeks.

5. Taking note of the above submissions, the writ petition is disposed of directing the respondent to pass orders on the petition dated 13.03.2013 made by the petitioner, on merits in accordance with law, within a period of two weeks from the date of receipt of a copy of this order. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

KM

To

The Assistant Commissioner (CT),
Park Town II Assessment Circle
No.191, N.S.C. Bose Road
Wavoo Complex, 5th Floor
Chennai-600 001.

+1cc to the Special Government Pleader (Taxes), High Court,
Madras.

+1cc to M/s. Hemalatha, Advocate, SR.No.18469

PPA (CO)

rli (21/05/2020)

WEB COPY

W.P.No.11067 of 2013