

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 15.02.2021
CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. No.2967 of 2021
and
W.M.P. No.3330 of 2021

The Neyveli NLC Contractors Welfare Association,
(Reg.No.79/2020),
Represented by its President,
Mr.C.Subramanian. Petitioner

Vs.

1.The Chairman cum Managing Director,
M/s.Neyveli Lignite Corporation Limited,
Corporate Office, Block-1, Neyveli - 607801.

2.The Director - Finance,
M/s.Neyveli Lignite Corporation Limited,
Corporate Office, Block-1, Neyveli - 607801.
..... Respondents

Prayer : Writ Petition filed under Article 226 of the
Constitution of India to issue a Writ of Mandamus forbearing the
respondents from deactivating the Vendor Code of the Contractors
working under the respondents by considering the representation
dated 05.02.2021 made by the petitioner.

For petitioner : Mr.D.Baskar.

For Respondents : Mr.N.Nithianandam
Central Government Standing Counsel

WEB COPY
ORDER

This writ petition has been filed for a Mandamus to forbear
the respondents from deactivating the Vendor Code of the
Contractors working under the respondents by considering the
representation dated 05.02.2021 made by the petitioner.

2. Mr.N.Nithianandam, learned Central Government Standing Counsel, who took notice on behalf of the respondents on 12.02.2021 has filed typed set of papers before this Court, today and would submit that the Vendor Code for the members of the petitioner's Association was activated with effect from 06.02.2021, subject to recovery of ITC 2018-19, which according to the respondents were not paid by the members of the petitioner's Association. However, the learned counsel for the petitioner, on instructions, would submit that the vendor code was activated only on 12.02.2021 i.e., after submitting the representation of the petitioner and not on 06.02.2021 as stated in the letter dated 11.02.2021 addressed by the respondents to the petitioner's Association.

3. The learned counsel for the petitioner further seeks liberty of this Court to challenge the recovery proceedings initiated by the respondents for recovery of GST amount from the members of the petitioner's Association in accordance with law.

4. No prejudice would be caused to the respondents, if such liberty is granted by this Court. However, since the relief sought for in this writ petition has been fully achieved, as the respondents have resolved the issue, nothing survives for adjudication in this writ petition. Accordingly, this writ petition is disposed of by granting liberty to the petitioner's Association, if so advised, to challenge the recovery proceedings initiated by the respondents for recovery of alleged GST dues from the petitioner's Association in accordance with law.

5. With the aforesaid direction, this writ petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

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To

1.The Chairman cum Managing Director,
M/s.Neyveli Lignite Corporation Limited,
Corporate Office, Block-1, Neyveli - 607801.

2.The Director - Finance,
M/s.Neyveli Lignite Corporation Limited,
Corporate Office, Block-1, Neyveli - 607801.

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A.SK(16.02.2021).