

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.01.2021

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P. No.19562 of 2020

and

WMP. Nos.24178, 24492 & 24180 of 2020

Sunlit Future (A Unit of Auroville Foundation)
Auroshilpam Auroville,
Tamil Nadu 605 101
Represented by
Ms. Divya Kapoor, Executive ... Petitioner

Vs.

- 1 State Tax Officer, Tindivanam,
No. 136, 137, Nehru Street,
Tindivanam 604 001.
 - 2 HDFC Bank Ltd.,
No. 16, Centigo Building, 100 Feet Road,
Pondicherry, Pin Code 605 005,
Rep. by its
Branch Manager
 - 3 State Bank of India,
Auroville Main Road, Kuilapalayam,
Vanur 605 101,
Rep. by its Branch Manager
- .. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to Writ of Certiorarified Mandamus to call for the records in Impugned Order being order dated 12.11.2020 bearing reference Rca3/2371/2014 passed by the 1st Respondent and quash the same as being illegal and direct the 1st Respondent to raise the attachment of the Bank Accounts No.04071450000340, HDFC Bank 100 feet Road, Pondicherry Branch and Bank Account No.31392125535, State Bank of India, Auroville Intl Township Branch.

For Petitioner : Mr.Karthik Ram Mohan for
M/s. S. Ramasubramaniam &
Associates

For Respondents : Mr.ANR.Jayapratap,
Government Advocate (Taxes)

O R D E R

Heard Mr.Karthik Ram Mohan, learned counsel for the petitioner and Mr.ANR Jayapraphap, learned Government Advocate for the respondents.

2. As regards the addition of a sum of Rs.36,295/- and the consequent attachment of the petitioners' bank account in State Bank of India, the petitioner has filed a stay application before the Sales Tax Appellate Tribunal, which is listed for hearing on 27.01.2021. Let the Tribunal dispose the application within a period of four weeks from 27.01.2021.

3. As regards the disputed demand for a sum of Rs.1,87,927/-, Mr.Jayapraphap, on written instructions, confirms that there is no order of assessment giving rise to the aforesaid demand. The attachment on this score is contrary to law. However, as the amount appears to have been appropriated from the petitioner's bank account, let the same be refunded to the petitioner within a period of one week from today. The attachment upon the bank account shall stand lifted forthwith.

4. With the aforesaid direction, this writ petition is disposed. Connected Miscellaneous Petitions are closed. No costs.

Sd/-
Assistant Registrar

//True Copy//

सतयुद्धे दायते
Sub Assistant Registrar

ska/vs

To

1. State Tax Officer, Tindivanam,
No. 136, 137, Nehru Street,
Tindivanam 604 001.

2. The Branch Manager,
HDFC Bank Ltd.,
16 Centogo Building,
100 Feet Road, Pondicheery.

3. The Branch Manager,
State Bank of India,
Auroville Main Road, Kuilapalayam,
Vanur 605 101,

+1cc to Mr.G. SANKARAN, Advocate, S.R.No.4477

+1cc to Mr.S. RAMASUBRAMANIAM, Advocate, S.R.No.3943

GSM(CO)

SM/23/02/2021

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