



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.05.2022

CORAM:

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.12567 of 2022
and W.M.P.Nos.12019, 12020 of 2022

Tvl. Provimi Animal Nutrition India Private Limited,
Represented by its Deputy Manager A & R, Mr.Munikrishna.R,
Having its Office at No.109-A,
Salem Main Road, Near KKP Transport,
Namakkal, Tamil Nadu - 637 001,
India.

... Petitioner

Vs

The Assistant Commissioner (ST)
Namakkal (Town) Assessment Circle,
Namakkal, Tamil Nadu - 637 001.

... Respondent

Prayer : Writ Petition has been filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari calling for the records pertaining to the Impugned Notice for Recovery No.ROC.No.354/2020/A3 dated April 21, 2022 on the file of the Respondent and quash the same.

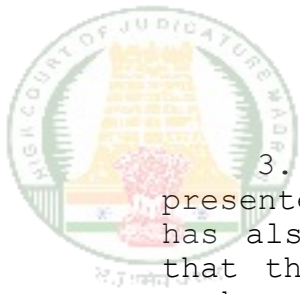
For Petitioner : Mr.Harish Bindumadhavan

For Respondent : Mr.R.Siddharth,
Government Advocate

O R D E R

The petitioner challenges a notice of recovery dated 21.04.2022. Such challenge is made principally on the ground that a statutory appeal with a stay petition was filed in 2019. The petitioner also states that the requisite pre-deposit was made when such appeal was filed.

2. Mr.R.Siddharth, learned Government Advocate accepts notice for the respondent. On instructions, he submits that the petitioner failed to obtain a stay in the pending appeal and, therefore, proceedings for recovery were initiated.



3. In view of the admitted position that an appeal has been presented before the Appellate Authority and a stay application has also been filed in such appeals, it is just and necessary that the impugned order not be acted upon for a period of six weeks so as to enable the petitioner to prosecute the stay application in the pending appeal.

4. Accordingly, W.P.No.12567 of 2022 is disposed of by granting a stay of the impugned order dated 21.04.2022 for a period of six weeks so as to enable the petitioner to prosecute the stay petition in the pending appeal in the mean time. It is made clear that no opinion is expressed on the merits of the matter. Consequently, the W.M.P.Nos.12019, 12020 of 2022 are closed. No costs.

Sd/-
Vacation Officer

//True Copy//

Sub Assistant Registrar

rna/gba

To

The Assistant Commissioner (ST)
Namakkal (Town) Assessment Circle,
Namakkal, Tamil Nadu - 637 001.

W.P.No.12567 of 2022
and W.M.P.Nos.12019, 12020 of 2022

RK(CO)
CT 17/05/2022