



WEB COPY



W.P.No.20010 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.07.2023

CORAM

THE HON'BLE **MR.JUSTICE C.SARAVANAN**

W.P.No.20010 of 2023

RR Thulasi Builders (I) Pvt Ltd,
Rep by General Manager Mr.S.Paulraj,
No.63, Sakthi Mahal,
Perundurai Road, Erode – 638 011.

... Petitioner

Vs.

- 1.The Government of Tamil Nadu,
Represented by its Secretary,
Fisheries, Fisheries Development Corporation
and Animal Husbandary,
Fort St.George, Chennai – 600 009.
- 2.The Vice-Chancellor,
Tamil Nadu Dr.Jayalalitha Fisheries University,
Vettar River View Campus,
Muttam Village, Nagor,
Nagapattinam – 611 002.
- 3.The Estate Officer,
Tamil Nadu Dr.J.Jayalalitha Fisheries University,
Vettar River View Campus,
Muttam Village, Nagor,
Nagapattinam – 611 002.



W.P.No.20010 of 2023

4.The Finance Officer,
Tamil Nadu Dr.J.Jayalalitha Fisheries University,
Vettar River View Campus,
Muttam Village, Nagor,
Nagapattinam – 611 002.

5.The Assistant Commissioner,
Thindal Circle,
State GST Office,
Commercial Taxes Building,
Brough Road, Erode – 638 001.

6.State Tax Officer – Review – I,
O/o.The Deputy Commissioner (ST) (Inspection),
Commercial Taxes Building,
Brough Road, Erode – 638 001.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus, to direct the respondents to reimburse the payment of Rs.1,29,49,832/- which is a composite total of amounts of Rs.42,66,820/-, Rs.2,81,942/- and Rs.84,01,070/-, being the difference of 6% GST paid under DRC challans-03 dated 28.01.2023 and detailed in three representations dated 13.02.2023 sent to respondent No.3 with a copy marked to respondent No.4.



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W.P.No.20010 of 2023

For Petitioner : Mr.Thirumalai Rajagopal

For Respondent : Mr.U.M.Ravichandran
Special Government Pleader
for R1
Mr.V.Prashanth Kiran
Government Advocate
for R5 and R6

ORDER

Mr.U.M.Ravichandran, learned Special Government Pleader takes notice on behalf of the first respondent and Mr.V.Prashanth Kiran, learned Government Advocate takes notice on behalf of the fifth and sixth respondents.

2.This writ petition is being disposed of at the time of admission after hearing the learned counsel for the petitioner and the learned Special Government Pleader for the first respondent and learned Government Advocate for the fifth and sixth respondents, as no adverse orders are proposed to be passed against any of the respondent in the writ petition.



W.P.No.20010 of 2023

3. Though prayer in the writ petition is for a mandamus to reimburse the tax paid by the petitioner for the works contract rendered by the petitioner to the second, third and fourth respondents, this writ petition is disposed of by directing the respondents to consider and pass appropriate orders on the petitioner's representation dated 13.03.2023, within a period of six weeks from the date of receipt of a copy of this order. The representation of the petitioner shall be disposed of either by the third/fourth respondent whoever among them is competent to consider the same and pass appropriate orders.

No costs.

07.07.2023

Index : Yes/No
Internet : Yes/No
Speaking/Non-speaking Order
Neutral Citation: Yes/No
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To

The Deputy Commissioner (ST)-II,
Large Tax Payers Unit,
Integrated Commercial Taxes and Registration Department,
South Tower,
4th Floor, Nandanam,
Chennai – 600 035.



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W.P.No.20010 of 2023

C.SARAVANAN, J.

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W.P.No.20010 of 2023

07.07.2023