



WEB COPY



W.P. No.38647 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2025

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P. No.38647 of 2024

and

W.M.P.No.41853 of 2024

Sapthagiri Borewells
Rep. by its Managing Partner,
Sri.K.M.Chandran, No.34,
Kumar Complex, Anna Salai,
Tiruchencode, Namakkal (DT),
Tamil Nadu 637 211.

..Petitioner

Vs.

1. The Assistant Commissioner (ST),
Tiruchengode Town Assessment Circle,
Sankaragiri Road, Tiruchengode.

2. The Assistant Commissioner,
Gandhipuram Assessment Circle,
Coimbatore 600 018.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 1st respondent herein to refund an amount of Rs.1,37,483/- as per Form P date 15.07.2015 for the year 2007-08 issued by the 1st respondent in



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For Petitioner : Mr.R.Vasumithran

For Respondents : Mr.V.Prashanth Kiran
Government Advocate

ORDER

The present writ petition is filed praying for a mandamus to direct the 1st respondent to refund the amount due pursuant to the order made for the assessment year 2007-08 dated 15.07.2015 wherein it was found that there was excess payment of Rs.1,37,483/- made by the petitioner.

2. It is submitted by the learned counsel for the petitioner that a notice in Form P for refund was also issued pursuant to the order of assessment dated 15.07.2015. The petitioner had thereafter filed a representation dated 08.01.2019 requesting the respondent to refund the excess tax of Rs.1,37,483/-, followed by another reminder on 09.03.2019. However, it is submitted that no orders have been passed on the above representation seeking refund.

3.The learned counsel for the respondent would submit that they



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would consider and pass orders on the above representation dated 08.01.2019, if no orders have been passed as yet, within a period of 2 weeks from the date of receipt of a copy of this order.

4. In view thereof, the writ petition is disposed of. The respondents are directed to pass orders on the above representation dated 08.01.2019 in case no orders have been passed yet within a period of 2 weeks from the date of receipt of a copy of this order and after affording the petitioner a reasonable opportunity of hearing. No Costs. Consequently, connected miscellaneous petition is closed.

02.01.2025

Speaking (or) Non Speaking Order

Index: Yes/No

Neutral Citation: Yes/No

spp



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To:
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MOHAMMED SHAFFIQ, J.

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