

(2009) 04 MAD CK 0212
In the Madras High Court
Case No : Writ Petition No. 379 of 2004

Sun Poly Sacks (P) Ltd.

APPELLANT

Vs

The Special Commissioner and Commissioner for Commercial Taxes, The Assistant Commissioner (Commercial Taxes) and The Deputy Commercial Tax Officer

RESPONDENT

Date of Decision : 13-04-2009

Acts Referred:

Citation : (2009) 04 MAD CK 0212

Hon'ble Judges : M. Jaichandren, J

Bench : Single Bench

Advocate : S. Kamadevan, for the Appellant; A.C. Manibharathi, GP, for the Respondent

Judgement

M. Jaichandren, J.—This writ petition has been filed praying for a writ of certiorarified Mandamus, challenging the distraint notice, dated

11.9.2003, issued by the third respondent, with regard to the tax due from the petitioner, under the Interest free Sales Tax Deferral Scheme.

2. At this stage of the hearing of writ petition, the learned Counsel appearing on behalf of the petitioner had submitted that the petitioner is willing to

pay the amount due to the respondents, in three equal monthly instalments, starting from the 10th of May, 2009. It has also been pointed out that

the petitioner had paid a sum of rupees five lakhs to the respondents, pursuant to an order passed by this Court, on 13.1.2004, in

W.P.M.P.No.359 of 2004. The petitioner would pay the balance amount of the statutory dues, within the period specified by this Court.

3. The learned Counsel appearing on behalf of the respondents has no objection for this Court passing such an order, permitting the petitioner to

pay the statutory amounts due as sales tax, liable to be paid by the petitioner to the respondents, as submitted on behalf of the petitioner.

4. In view of the submissions made by the learned counsels appearing for the petitioner, as well as the respondents, the petitioner is directed to pay

the statutory amounts due to the respondents, as sales tax, by way of three equal monthly instalments, on or before the 10th of every month. The

first instalment is to be paid by the petitioner on or before the 10th of May, 2009. On the petitioner failing to comply with any one of the payments,

it would be open to the respondents to take appropriate action against the petitioner, in accordance with law.

The writ petition is ordered accordingly. No costs.