

Selvam Broilers (P) Ltd Vs. the Assistant Commissioner (Assmt)

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Court : Kerala

Decided On : Jul-18-2013

Judge : Honourable Mr.Justice V.Chitambaresh

Appellant : Selvam Broilers (P) Ltd

Respondent : The Assistant Commissioner (Assmt)

Judgement :

IN THE HIGH COURT OF KERALAAT ERNAKULAM PRESENT: THE
HONOURABLE MR.JUSTICE V.CHITAMBARESH THURSDAY,THE 18TH DAY
OF JULY 2013 27TH ASHADHA, 1935 WP(C).No. 17886 of 2013 (I)

----- PETITIONER(S)/PETITIONER:

----- M/S. SELVAM BROILERS (P) LTD SELVAM
HOUSE, HILL PALACE ROAD, TRIPUNITHURA , ERNAKULAM DIST REP BY
ITS MANAGER(ACCOUNTS) MR.M.PERIASWAMY BY ADVS.SRI.K.SRIKUMAR
(SR.) SRI.K.MANOJ CHANDRAN RESPONDENT(S)/RESPONDENTS:

1. THE ASSISTANT COMMISSIONER (ASSMT)-II DEPARTMENT OF
COMMERCIAL TAXES, SPECIAL CIRCLE III, ERNAKULAM-682015

2. THE INTELLIGENCE OFFICER, SQUAD -V, DEPARTMENT OF
COMMERCIAL TAXES (MATTANCHERY) MINI CIVL
STATION,PERUMBAVOOR-683542

3. THE DEPUTY COMMISSIONER(APPELAS) DEPARTMENT OF COMMERCIAL TAXES, ERNAKUALM-682015

4. THE INSPECTING ASSISTANT COMMISSIONER, DEPARTMENT OF COMMERCIAL TAXES, KAKKANADU , KOCHI-30 BY GOVERNMENT PLEADER SMT.SOBHAANNAMMA EAPEN THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 18-07-2013, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: WP(C).No. 17886 of 2013 (I) APPENDIX PETITIONER(S)' EXHIBITS P1:- TRUE COPY OF THE PENALTY ORDER DTD 30/3/2013 P2:- TRUE COPY OF THE APPEAL DTD 10/7/2013 P3:- TRUE COPY OF THE STAY PETITION DTD 10/7/2013 RESPONDENT(S)' EXHIBITS : NIL /TRUE COPY/ P.A. TO JUDGE. V. CHITAMBARESH, J ----- WP(C) NO. 17886 OF 201.----- Dated this the 18th day of July, 2013 JUDGMENT The petitioner has filed Ext.P2 appeal accompanied by Ext.P3 petition for stay against Ext.P1 order imposing penalty under the Kerala Value Added Tax Act. The petitioner is apprehensive of coercive steps pursuant to Ext.P1 order even before the disposal of the appeal and the petition for stay.

2. I direct the third respondent to consider Ext.P3 petition with notice to the petitioner within a period of one month. The coercive steps pursuant to Ext.P1 order shall be put on hold till orders are passed on Ext.P3 petition as directed above. The petitioner shall produce a copy of the Writ Petition with the judgment before the third respondent for compliance. The Writ Petition is disposed of. V. CHITAMBARESH JUDGE ncd

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