

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 27.10.2015

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

Contp. No. 2368 of 2015

Sai Krishna SL
Proprietor, M/s Sai Systems & Solutions
... Petitioner

Vs

Mr.Ariyaputhiran
Deputy Commercial Tax Officer
Roving Squad III
Office of the Deputy Commissioner (CT)
Enforcement (Central), First Floor
PAPJM Buildings
1,Greams Road, Chennai 600 006. ... Respondent

PRAYER : Petition filed under sections 11 & 12 of the Contempt of Courts Act, to initiate contempt proceedings to initiate contempt proceedings against the respondent and punish them for having committed contempt by disobeying the order of this Court dated 19.11.2014 given in W.P.No.25284 of 2014.

For Petitioner : Mr.N.Surya Senthil

For Respondents : Mr.Manohar Sundaram
Addl.Govt. Pleader

O R D E R

Mr.Manohar Sundaram, learned Additional Government Pleader submits that the respondent/contemnor Mr.Aryaputhiran, Deputy Commercial Tax Officer, Roving squad III, has been transferred nearly one year back and the present Officer Mr.Hari, who has taken charge is willing to hear the petitioner and pass appropriate orders immediately. The said Officer is also present in Court.

2.The cardinal principle is that the person who hears must decide. Therefore, without affording an opportunity of personal hearing to the petitioner, the respondent would not be justified in passing an order.

3.The learned counsel for the petitioner submits that he himself will appear before the respondent; reiterate the submissions and also file a fresh copy of the written submissions and prays for a reasonable time for the matter to be heard.

4.Accordingly, the Contempt Petition stands disposed of with a direction to the respondent to afford an opportunity of personal hearing to the counsel for the petitioner on 18.11.2015. The respondent after hearing the

submissions of the learned counsel for the petitioner, shall consider the same as well as all the relevant records and pass a reasoned order on or before 09.12.2015. No costs.

Rpa

SD/-

DEPUTY REGISTRAR (CLAA)

//Certified to be true copy//

Dated at Madras this the day of 2015.

COURT OFFICER (O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.

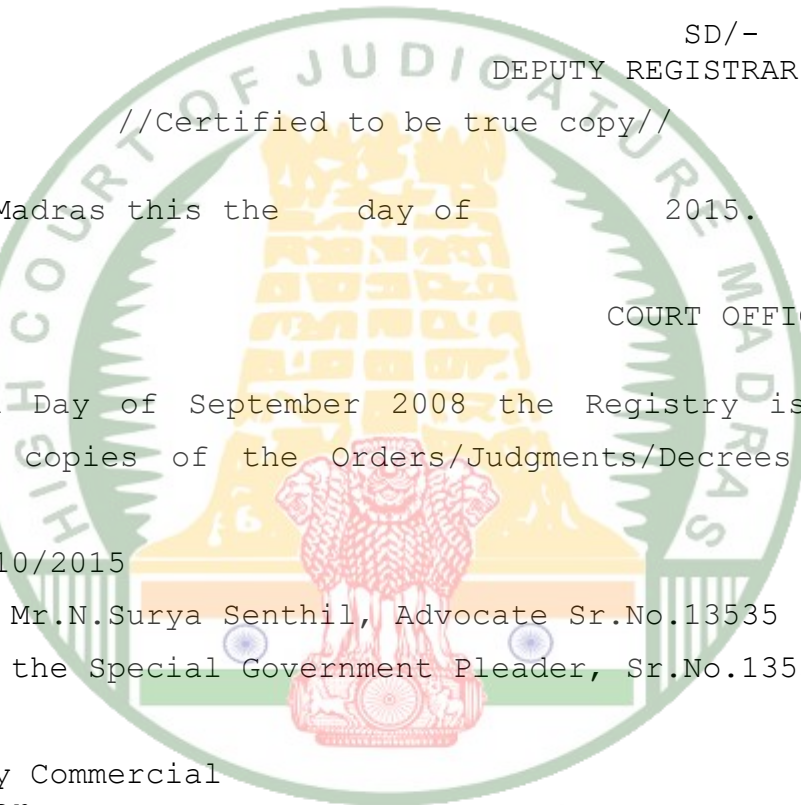
SS/CO/30/10/2015

One CC to Mr.N.Surya Senthil, Advocate Sr.No.13535

One CC to the Special Government Pleader, Sr.No.13557

To

The Deputy Commercial
Tax Officer,
Roving Squad III,
Office of the Deputy Commissioner (CT)
Enforcement (Central), First Floor,
PAPJM Buildings,
1,Greams Road,
Chennai-600 006.



WEB COPY