

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 06.06.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.18876 of 2016

- 1 M/s.The Tamil Nadu Textile Corporation Ltd
Rep by Managing Director Thiru.S.Prakasam
Now at Corporation Shopping Complex
3rd floor Dr.Nanjappa Road
Coimbatore-18. [PETITIONER]

Vs

- 1 The Joint Commissioner of
Commercial Taxes (Revision Petition)
Now designated as
The Additional Commissioner (revision petition)
Office of the Commissioner of Commercial Taxes
Chepauk , Chennai 600 005.
- 2 The Commercial Tax Officer
Avanashi Road Circle
Coimbatore-18. [RESPONDENTS]

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of mandamus to direct the first respondent to pass orders on merits on the revision petition filed by the petitioner in R.P. No. JJ2/ 91/ 99 dt. 19.5.98 after grant of opportunity and personal hearing to the petitioner.

For Petitioner : Mr.C.Venkatraman

For Respondent : Mr.Manokaran Sundaram
Additional Government Pleader

O R D E R

Heard Mr.C.Venkatraman, learned Counsel appearing for the petitioner and Mr.Manokaran Sundaram, learned Additional Government Pleader accepting notice on behalf of the respondents and with the consent of learned counsel appearing on either side, this writ petition is taken up for final disposal.

2.The petitioner who is a Textile Corporation has filed this Writ Petition for issuance of a writ of mandamus to direct the first respondent viz. The Additional Commissioner of Commercial Taxes, Chennai-5, to consider their Revision Petition in R.P.No.JJ2/91/99 dated 19.05.1998.

3.The learned counsel for the petitioner submitted that the Revision Petition is pending for several years and till date the same has not been taken up for consideration on merits and therefore the petitioner has approached this Court, after exhausting the other remedies available to them.

4.From the typed set of papers, it is seen that the petitioner had requested for an early hearing by Petition dated 18.12.2009, sent by 'Speed Post', which was followed by representations dated 24.05.2010 and 07.01.2015, requesting the Revisional Authority- first respondent to take up the case for hearing and disposal.

5.The learned Additional Government Pleader appearing for the respondents submitted that earlier the Revision Petitions have to be submitted to the Joint Commissioner, and now as the said post has been re-designated as Additional Commissioner (CT) [Revision Petition], Office of the Commissioner of Commercial Taxes, the said authority may be directed to consider the Revision Petition on merits and in accordance with law, by granting sufficient time.

6.In the light of the above, there will be a direction to the Additional Commissioner (CT) [Revision Petition], Office of the Commissioner of Commercial Taxes, Chepauk, Chennai-5, to consider the petitioner's Revision Petition dated 18.05.2015, and pass orders on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioner, within a period of eight weeks. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

- 1 The Joint Commissioner of
Commercial Taxes (Revision Petition)
Now designated as
The Additional Commissioner (revision petition)
Office of the Commissioner of Commercial Taxes
Chepauk , Chennai 600 005.

2 The Commercial Tax Officer
Avanashi Road Circle
Coimbatore-18.

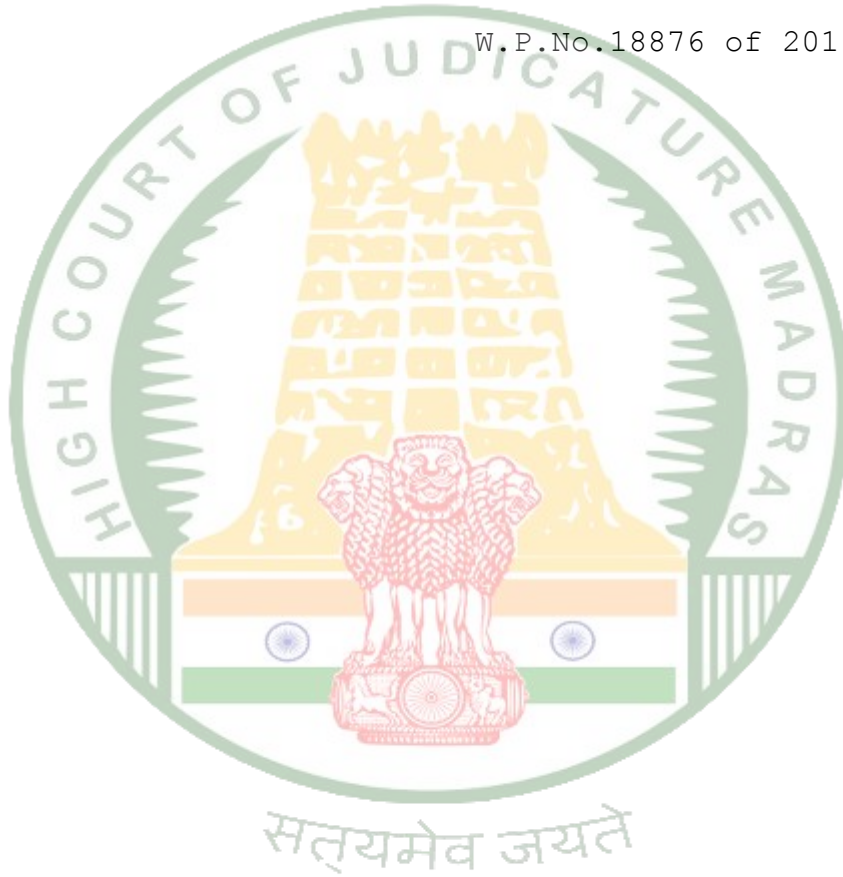
3. The Additional Commissioner/CT (Revision Petition)
Office of the Commissioner of Commercial Taxes,
Chepauk, Chennai.

+ 1 cc to Mr.C.Venkataraman, Advocate SR 29752

+ 1 cc to Spl. Govt.Pleader (Taxes) SR 29927

ivj(co)
prk15/6

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