

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.01.2016

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P. No.3079 of 2016 &
W.M.P.No.2531 of 2016

Tvl.Lathikka Oil Trading,
Rep.by its Proprietrix,
Tmt.V.Juliet Prema Arputham,
No.110-C, Velayutha Nagar,
Jayamkondam - 612 802.
Ariyalur District

... Petitioner

Vs.

The Commercial Tax Officer,
Jayamkondam Assessment Circle,
Jayamkondam.

... Respondent

PRAYER : Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records on the files of the respondent in TIN.No.33353623043/2014-15 dated 27.10.2015 and quash the same as being without jurisdiction and authority of law and contrary to the principles of natural justice.

For Petitioner : Mr.R.Senniappan

For Respondent : Mr.S.Kanmani Annamalai
Additional Government Pleader [Tax]

सत्यमेव जयते

O R D E R

By consent, the Writ Petition is taken up for final disposal at the admission stage itself.

2.The Writ Petition is filed to quash the order of the respondent dated 27.10.2015 passed in TIN.No.33353623043/2014-15.

3.Learned counsel appearing for the petitioner submitted that the respondent without giving an opportunity to the petitioner of personal hearing passed the impugned order, which is against the principles of natural justice.

4.Mr.S.Kanmani Annamalai, learned Additional Government Pleader [Tax], who accepts notice on behalf of the respondent.

5.It is not in dispute that the impugned order came to be passed without affording an opportunity to the petitioner. Hence, the impugned order dated 27.10.2015 is set aside and the matter is remanded back. The respondent shall pass orders afresh after giving an opportunity of personal hearing to the petitioner.

6.The Writ Petition is disposed of accordingly. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

sri

To

The Commercial Tax Officer,
Jayamkondam Assessment Circle,
Jayamkondam.

+1cc to Mr.R.Senniappan, Advocate, S.R.No.5158
+1cc to the Government Pleader, S.R.No.5312

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&

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NM(CO)
CA(03/03/2016)

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