

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.02.2016

CORAM

THE HONOURABLE Mr. JUSTICE M.DURAI SWAMY

W.P.No.4837 of 2016 &
W.M.P.Nos. 4188 & 4189 of 2016

M/s. Anbu Electronics
Rep. by its Proprietor
A.Anbalagan NO.22
New Bus Stand
Thukkapettai
Polur, Chengam Taluk
Tiruvannamalai District

... Petitioner

Vs.

The Commercial Tax Officer
Polur
Tiruvannamalai District

... Respondent

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records on the file of the respondent in its impugned proceedings made in TIN No. 33334543099/2013-2014, dated 31.07.2015 and quash the same.

For Petitioner : Ms.R.Hemalatha

For Respondent : Mr.Kanmani Annamalai
Additional Government Pleader(T)

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ORDER

The petitioner has filed the above writ petition to issue a writ of certiorari to call for the records on the file of the respondent in its impugned proceedings made in TIN No. 33334543099/2013-2014, dated 31.07.2015 and to quash the same.

2. The only contention raised by Ms.R.Hemalatha, learned counsel appearing for the petitioner is that the respondent has passed the impugned order even before the expiry of the 15 days time granted in the notice.

<https://hcservices.ecourts.gov.in/hcservices/>

3. Mr.Kanmani Annamalai, learned Additional Government Pleader, appearing for the respondent, submitted that since

the impugned order has been passed before the expiry of 15 days time, the impugned order may be remitted back to the respondent for fresh consideration.

4. It is also pertinent to note that though the impugned order was dated 31.07.2015, the same was signed on 21.07.2015 itself, which itself will establish that total non-application on the part of the respondent.

5. In these circumstances, the impugned order dated 31.07.2015 is set aside and the matter is remanded back to the respondent for passing appropriate orders afresh and the respondent is directed to consider the case of the petitioner after hearing the submissions on behalf of the petitioner and pass fresh orders on merits and in accordance with law.

With this observation, the writ petition is allowed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

Rj

To

The Commercial Tax Officer
Polur
Tiruvannamalai District

+1cc to Ms.R.Hemalatha, Advocate, S.R.No.8288
+1cc to the Special Government Pleader(T), S.R.No.8701

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