

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.02.2016

CORAM

THE HONOURABLE Mr. JUSTICE M.DURAI SWAMY

W.P.Nos.5184 to 5188 of 2016 &
W.M.P.Nos.4560 to 4564 of 2016

M/s. Flint Group India Pvt. Ltd.
Represented by K.Loganathan
Assistant Manager, Indirect Taxes
No.66-B SIPCOT Industrial Complex
Hosur-635126.
in all W.Ps

.. Petitioner

v.

1 Commercial Tax Officer (CT)
Hosur (North)
Perarignar Anna Centenary Buildings
773, Krishnagiri Main Road
Chennathur Village, Hosur-635109.

2 Commissioner of Commercial Taxes
Chepauk, Ezhilagam Complex
Chennai-600 005.

3 Government of Tamil Nadu
Represented by its Secretary
Commercial Taxes Department
Fort St. George
Chennai-600 009.

.. Respondents in all W.Ps

Writ Petitions filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records relating to the Impugned Order passed by the 1st Respondent in TIN/ 33353320888/2010-11, TIN/ 33353320888/2011-12, TIN/ 33353320888/2012-13, TIN/ 33353320888/ 2013-14, TIN/ 33353320888/2014-15 respectively dated 31st December 2015 and quash the same.

For Petitioner : Ms.R.Charulatha
for M/s.Lakshmi Kumaran

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

ORDER

The petitioner has filed the above writ petitions to issue a Writ of Certiorari to call for the records relating to the impugned orders dated 31.12.2015 passed by the first respondent in respect of assessment years 2010-11, 2012-13, 2013-14 and 2014-15 and to quash the same.

2. Ms.R.Charulatha, learned counsel appearing for the petitioner submitted that the petitioner was not given an opportunity to file their objections before the first respondent.

3. Mr.Manoharan Sundaram, learned Additional Government Pleader takes notice for the respondents and fairly submitted that since the petitioner was not given an opportunity to file their objections, the impugned orders may be set aside and the matters may be remitted back to the first respondent for fresh consideration.

4. Having regard to the submissions made by the learned counsel on either side, without going into the merits of the case, since the petitioner was not given an opportunity to file their objections and were not given an opportunity of personal hearing, I set aside impugned orders dated 31.12.2015 and remit the matters back to the first respondent for fresh consideration and the first respondent is directed to decide the matter afresh, after considering the objections to be filed by the petitioner and also giving an opportunity of personal hearing to the petitioner, on merits and in accordance with law.

With these observations, the writ petitions are allowed. No costs. Consequently, connected miscellaneous petitions are closed.

सत्यमेव जयते

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Sd/-
Assistant Registrar (CS IV)

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Sub Assistant Registrar

Rj

To

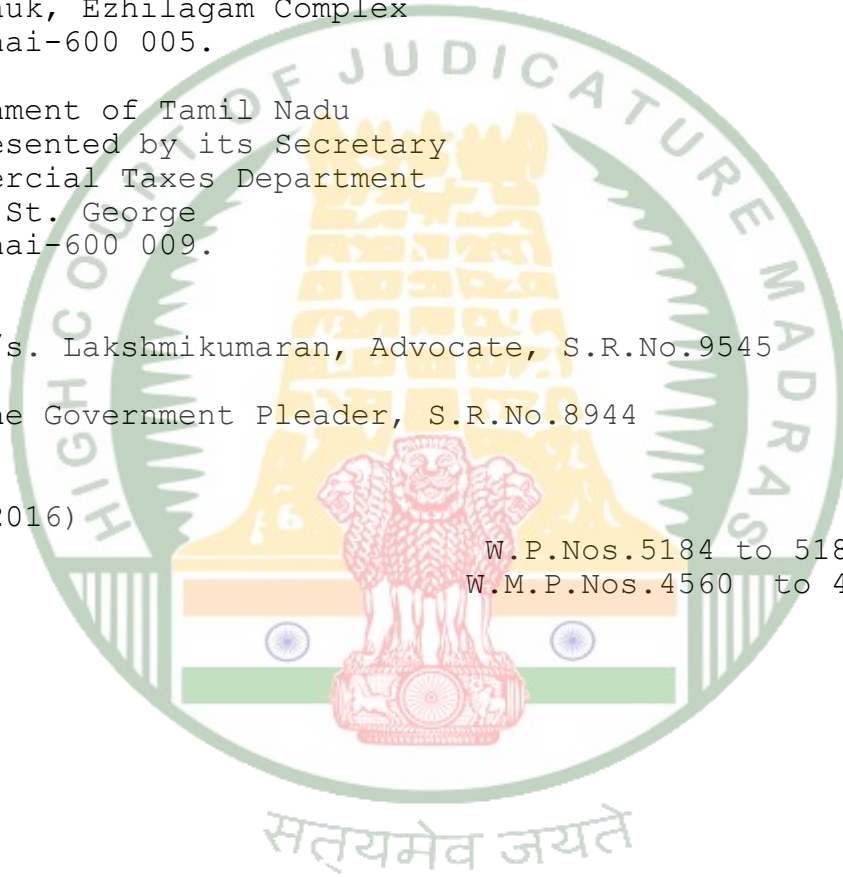
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Chennai-600 009.

+1cc to M/s. Lakshmikumaran, Advocate, S.R.No.9545

+1cc to the Government Pleader, S.R.No.8944

AK(CO)
EU(23/02/2016)

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