

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:01.03.2016

CORAM

THE HONOURABLE Mr. JUSTICE M.DURAI SWAMY

W.P.Nos.7469 to 7476 of 2016 &

W.M.P.Nos.6684 to 6691 of 2016

Tvl.Pranesh Textiles
Rep. by its Managing Partner
Mr.M. Viswanathan
No.54/6 Dhanam Nagar
Mylampatti (Post)
Coimbatore 641 062 ... Petitioner in all WPs

v.

The Assistant Commissioner (CT)
Central II Assessment Circle
No.42, Kumaran Road
Tiruppur 641 601 ... Respondents in all WPs

Writ Petitions filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for records in respect of the impugned order of The Assistant Commissioner (CT), Central II Assessment Circle, Tiruppur, TIN/33892465342/2013-14, TIN/33892465342/2007-08, TIN/33892465342/2008-09, TIN/33892465342/2012-13, TIN/33892465342/2010-11, TIN/33892465342/2009-10, TIN/33892465342/2014-15 and TIN/33892465342/2011-12, dated 12.1.2016 and quash the same.

For Petitioner : Mr.S.Sivakumar
For Respondents : Mr.Manoharan Sundaram
Addl. Govt. Pleader

COMMON 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 12.1.2016 passed by the respondent in respect of assessment years 2007-08, 2008-09, 2009-10, 2010-11, 2011-12, 2012-13, 2013-14 and 2014-15 and to quash the same.

2. It is the case of the petitioner that the respondent had passed the impugned orders dated 12.01.2016 without considering the objections filed by them and that the respondent had passed non-speaking orders.

3. Mr.S.Sivakumar, learned counsel appearing for the petitioner, submitted that the respondent had taken into consideration the report of the Enforcement Wing and passed the impugned orders without considering the objections filed by the petitioner.

4. Mr.Manoharan Sundaram, learned Additional Government Pleader, takes notice for the respondent and submitted that since the respondent had passed non-speaking orders, the same may be set aside and the matters may be remitted back to the respondent for fresh consideration.

5. Having regard to the submissions made by the learned counsel on either side and taking note of the fact that the respondent had passed the impugned orders without considering the objections filed by the petitioner, the impugned orders are liable to be set aside. Accordingly, impugned orders dated 12.01.2016 are set aside and the matters are remitted back to the respondent for fresh consideration. The respondent is directed to consider the objections filed by the petitioner and decide the matter afresh, after giving an opportunity of personal hearing to the petitioner, on merits and in accordance with law.

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

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

Rj

To

The Assistant Commissioner (CT)
Central II Assessment Circle
No.42, Kumaran Road
Tiruppur 641 601
+1 cc to Special Government Pleader, sr.13034
+1 cc to Mr.S.Sivakumar, Advocate, sr.13001

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lrs co, kra 04.03.2016