

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2016

CORAM

THE Hon'ble Mr.JUSTICE M. DURAISWAMY

W.P.No.8542 of 2016

and

WMP No.7598 of 2016

M/s S.N.T. Leathers,
rep by its Proprietrix,
No.266/8, Kose Kasim Sahib Street,
Vaniyambadi-635 751

... Petitioner

Vs

The Assistant Commissioner (CT),
Vaniyambadi Assessment Circle,
Vellore District

... Respondent

Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Certiorari to call for the records of the respondent in his proceedings in TIN No.33524642177/2009-10 dated 15.07.2015 and quash the same.

For petitioner : Mr.C. Bakthasiromoni

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

ORDER

The petitioner had filed the above writ petition to issue a Writ of Certiorari to call for the records of the respondent in his proceedings in TIN No.33524642177/2009-10 dated 15.07.2015 and quash the same.

2. It is the case of the petitioner that since the petitioner could not file their objections before the respondent, the respondent had passed the impugned order dated 15.07.2015, without the objections, being filed by the petitioners.

3. The learned counsel for the petitioner submitted that one more opportunity may be given to the petitioner to file their objections and in that case, the respondent may be directed to decide the matter afresh.

4. Mr.S. Kanmani Annamalai, learned Additional Government Pleader, taking notice for the respondent, submitted that since the petitioner could not file their objections, an opportunity may be given to the petitioner and in that case, the respondent may be directed to re-do the exercise.

5. Having regard to the submissions made by the learned counsel on either side, in the interest of justice, I am of the considered view that one more opportunity can be given to the petitioner to file their objections and in such an event, the respondent can be directed to decide the matter afresh.

6. In these circumstances, the impugned order dated 15.07.2015, passed by the respondent, is set aside and the matter is remanded back to the respondent for fresh consideration. The petitioner is directed to file their objections along with all relevant records within a period of two weeks from the date of receipt of copy of this order and on filing the objections and the documents before the respondent within a stipulated time, the respondent is directed to decide the matter afresh, on merits and in accordance with law, after giving due opportunity to the petitioner. With the above observation, the writ petition is disposed of. No costs. Consequently, connected MP is closed.

Sd/-

Assistant Registrar(CS II)

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सत्यमेव जयते

Sub Assistant Registrar

sr

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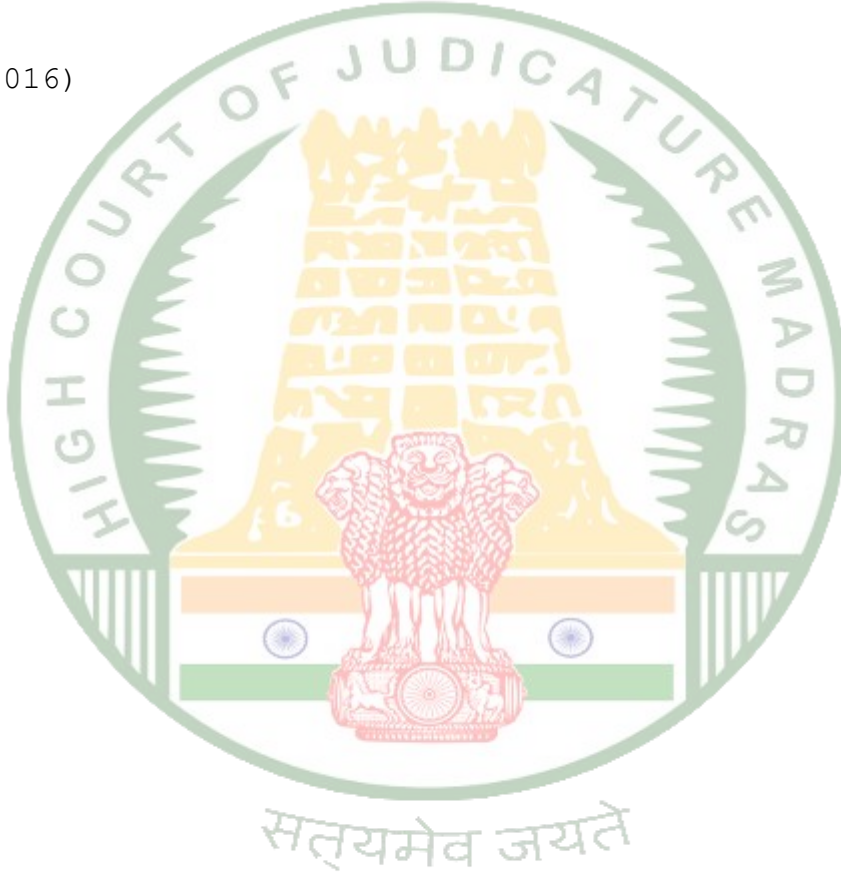
To

The Assistant Commissioner (CT),
Vaniyambadi Assessment Circle,
Vellore District

+1cc to Mr.C. Bakthasiromoni, Advocate, S.R.No.14877
+1cc to the Special Government Pleader(Taxes), S.R.No.14826

W.P.No.8542 of 2016

SAI (CO)
CA(17/03/2016)



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