

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2016

CORAM

THE Hon'ble Mr.JUSTICE M. DURAISWAMY

W.P.No.8558 of 2016

and

WMP No.7610 of 2016

M/s AL. Kasim Leather,
rep by its Partner,
No.1137, Cutchery Road,
Vaniyambadi

... Petitioner

vs

The Commercial Tax Officer (FAC),
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.33184641782/2009-10 dated 03.07.2015 and quash the same.

For petitioner :Mr.C. Bakthasiromoni

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

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.33184641782/2009-10 dated 03.07.2015 and quash the same.

2. The learned counsel for the petitioner submitted that inspite of the fact that the petitioner had filed their objections on 05.05.2015, the respondent had not considered the same and without considering the objections, filed by the petitioner, the respondent had passed the impugned order and therefore, the impugned order is liable to be set aside.

3. Mr.S. Kanmani Annamalai, learned Additional Government Pleader, taking notice for the respondent, submitted that since the respondent had not considered the objections, filed by the petitioner, the impugned order may be set aside and the matter may be remanded back to the respondent for fresh consideration.

4. Having regard to the submissions made by the learned counsel on either side and taking note of the fact that the respondent had not considered the petitioner's objections while passing the impugned order, the impugned order dated 03.07.2015 is liable to be set aside and accordingly, it is set aside. The matter is remanded back to the respondent for fresh consideration. The respondent is directed to decide the matter afresh, taking into consideration the objections, filed by the petitioner and after affording due opportunity of personal hearing to the petitioner, and pass orders on merits and in accordance with law. With the above observation, the writ petition is disposed of . No costs. Consequently, connected MP is closed.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

sr

To

The Commercial Tax Officer (FAC),
Vaniyambadi Assessment Circle,
Vellore District

+1cc to Mr.C. Bakthasiromani, Advocate, S.R.No.14878

+1cc to the Government Pleader, S.R.No.14832

EV(CO)

EU(11/03/2016)

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