

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN
And
THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

-
WRIT PETITION No.21286 of 2016

ORDER: (per Hon'ble Sri Justice Ramesh Ranganathan)

Heard Sri G.Narendra Chetty, learned counsel for the petitioner, and Sri Sk.Jeelani Basha, learned Special Standing Counsel for Commercial Tax and, with their consent, this Writ Petition is disposed of at the stage of admission.

The order under challenge in this Writ Petition is the proceedings of the Commercial Tax Officer dated 20.05.2016, passed consequent on the order of remand passed by the Appellate Deputy Commissioner on 23.09.2015. The petitioner's grievance is that the impugned order was passed without putting them on notice, and without giving them an opportunity of a personal hearing .

When the matter came up earlier Sri Sk.Jeelani Basha, learned Special Standing Counsel for Commercial Taxes, sought time to obtain instructions. Today the learned Special Standing Counsel fairly stated that, as the impugned order was passed without putting the petitioner on notice, the matter may be remanded to the assessing authority.

We consider it appropriate, in such circumstances, to set aside the order impugned in this Writ Petition, and to direct the assessing authority to pass an order afresh in accordance with law after putting the petitioner on notice, and after giving them an opportunity of a personal hearing.

The Writ Petition stands disposed of accordingly. Miscellaneous Petitions pending, if any, shall also stand disposed of. There shall be no order as to costs.

RAMESH RANGANATHAN, J

M.SATYANARAYANA MURTHY, J

04th July, 2016.

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