

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.01.2017

CORAM:

THE HONOURABLE MR. JUSTICE RAJIV SHAKDHER

W.P.No.850 of 2017

Suresh Enterprises  
Rep. by its Proprietor  
Fusaram Raj Purohit  
Old No.39, New No.24  
2<sup>nd</sup> floor, "Purohit Nivas"  
Raghava Street, Choolai  
Chennai-600 112. .... Petitioner

vs.

Assistant Commissioner (CT)  
Choolai Assessment Circle  
No.10, Greams road  
Chennai-600 006. .... Respondent

Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of a writ of Mandamus, to direct the respondent to serve the copies of the assessment orders for the years 2007-2008, 2008-2009, 2009-2010, 2010-2011, 2011-2012 and 2012-2013 alleged to have been made on 29.01.2016 by the respondent.

For Petitioner : Mr.N.Murali

For Respondent : Mr.K.Venkatesh  
Govt. Advocate

सत्यमेव जयते  
ORDER

1.Issue notice. Mr.K.Venkatesh, accepts notice on behalf of the respondent.

1.1 With the consent of counsels for the parties, the writ petition is taken up for final hearing and disposal.

2.The limited direction, which the petitioner, seeks is that, the respondent be directed to serve the copies of assessment orders for the Assessment Years (AYs) 2007-2008 to 2012-2013.

3.It is the petitioner's case that, even though assessment

orders were passed on 29.01.2016 by the respondent, the copies of the said orders were not served on the petitioner.

4.Mr.K.Venkatesh, who appears on behalf of the respondent, draws my attention to the order dated 29.01.2016, whereby the petitioner's request, for being served with the copies of the assessment orders, was rejected.

5.According to the learned counsel for the respondent, the copies of the assessment orders was sought to be served on, one, Mr.Naresh Kumar, who received only a copy of the assessment order for the AYs 2013-2014. It is stated that the said order was received on 08.03.2016.

5.1 Learned counsel says that insofar as orders for other AYs were concerned, the same were not accepted by Mr.Naresh Kumar.

5.2 Furthermore, learned counsel says that service of the assessment orders for the AYs 2007-2008 to 2012-2013 was sought to be made via RPAD, which was, however, returned with an endorsement 'Refused', on 11.03.2016.

5.3 The said orders along with endorsement, according to the counsel, were received in the office of the respondent, on 15.03.2016.

6. In these circumstances, counsel for the respondent says that the request of the petitioner cannot be acceded to.

7. I have heard the counsels for the parties and perused the record.

8. I am of the view that the entire controversy can be cut short, if, the respondent will serve the assessment orders for the AYs 2007-2008 to 2012-2013, once again, via post, at the address of the petitioner given in the writ petition, without prejudice to the rights and contentions of the parties herein.

RAJIV SHAKDHER, J.

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8.1 Let the needful be done within a period of two (2) weeks from the date of receipt of a copy of this order.

9. The writ petition is, accordingly, disposed of. There shall, however be, no order as to costs.

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

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To

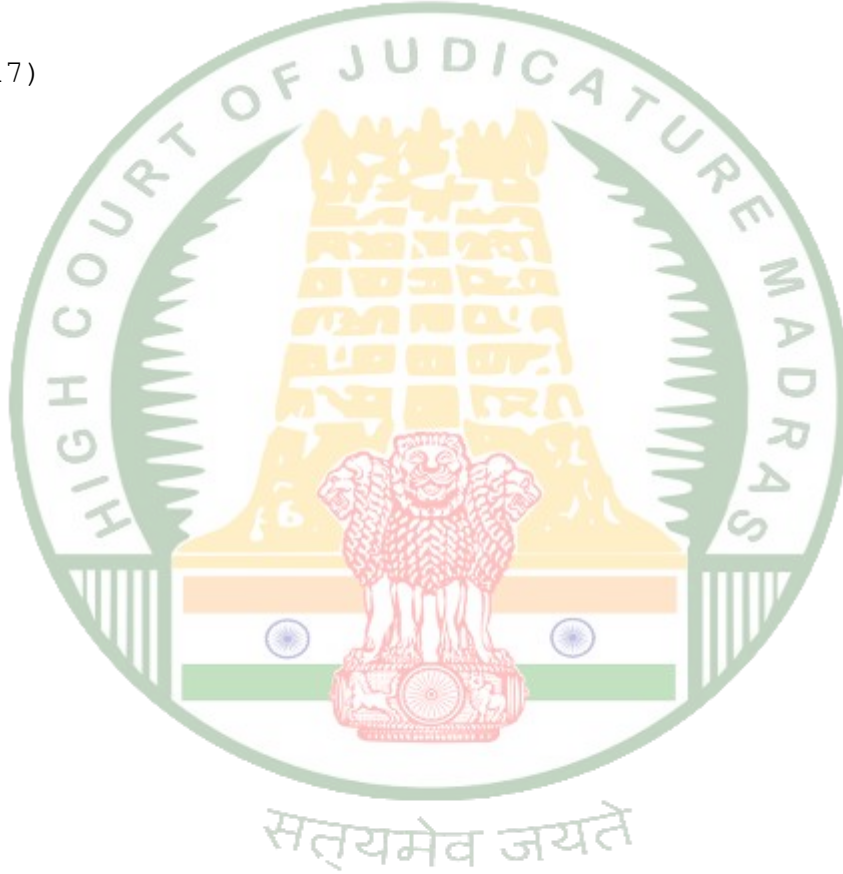
Assistant Commissioner (CT)  
Choolai Assessment Circle  
No.10, Greams road  
Chennai-600 006.

+1cc to Mr.N.Murali, Advocate sr.2603

+1cc to The Special Government Pleader Taxes, Advocate sr.3267

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