

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.05.2017

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.12298 of 2017
& W.M.P.No.13071 of 2017

Tvl.Classick Finishaar,
Represented by its Managing Partner,
M.Ramakrishnan,
No.120, Sengalanai Road,
Ponnammapet,
Salem-3.

... Petitioner

- VS -

The Assistant Commissioner, (CT),
Bazaar Assessment Circle,
Salem.

... Respondent

Prayer: This writ petition has been filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records on the files of the respondent in TIN.33452782192/2012-13 dated 27.02.2017 and quash the same as being without jurisdiction and authority of law and contrary to the principles of natural justice.

For Petitioner : Mr.R.Senniappan

For Respondent : Mr.S.Kanmani Annamalai,
Additional Government Pleader

ORDER

This writ petition has been filed seeking a Writ of Certiorari to call for the records on the file of the respondent and to quash the same.

2. Mr.R.Senniappan, learned counsel appearing for the petitioner would submit that the respondent has passed the impugned order without providing personal hearing and on that

ground alone, the order is liable to be set aside. Learned counsel has relied upon the judgement of this Court reported in (2010) 33 VST 333.

3. Mr.Kanmani Annamalai, learned counsel appearing for the respondent would failry submit that the impugned order can be set aside, as it is being passed against the Principles of natural justice.

4. In view of the above submission, this Court, without going into the merits of the case, set aside the order of the respondent impugned in the writ petition and remit the case to the respondent to pass orders afresh after providing personal hearing to the petitioner. Such exercise shall be done within a period of six weeks, from the date of receipt of a copy of this order.

5.This writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is also closed.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

The Assistant Commissioner, (CT),
Bazaar Assessment Circle,
Salem.

+1 Cc to Spl. Govt. Pleader sr 37279

+1 CC to Mr. R. Senniappan, Advocate sr 37202

KK(CO)
sp/16/5

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