

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.05.2017

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.12312 of 2017
& W.M.P.No.13083 of 2017

Tvl.Proventus Life Science Private Limited,
Rep by its Director Mr.Manoj Kumar Bhaiya,
No.30,Maddox Street,
Choolai, Chennai 112.

... Petitioner

vs.

The Commercial Tax Officer,
Vepery Assessment Circle,
No.10,Greams Road,
Chennai 6.

... Respondent

Prayer: This writ petition 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 CST No.653281/2011-12 dated 10.01.2017 and connected rejection order in CST.No.653281/2011-12 dated 22.03.2017 quash the same being illegal, invalid, without jurisdiction and violated the principles of natural justice and contrary to the principle laid down by this Honourable Court.

For Petitioner : Mr.D.Vijayakumar

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

O R D E R

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.D.Vijayakumar, 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 fairly 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.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

smi
To

The Commercial Tax Officer,
Vepery Assessment Circle,
No.10,Greams Road,
Chennai 6.

+1cc to M/S.D.Vijayakumar, Advocate Sr.37086
+1cc to the Special Government Pleader Sr.37274

सत्यमेव जयते

W.P.No.12312 of 2017

mp[col]
srg 24/05/2017

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