

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.06.2017

CORAM

THE HON'BLE Mr. JUSTICE M.DURAISWAMY

W.P.No.12533 of 2017

Mathew Verghese

... Petitioner

Vs.

The Additional Chief Secretary to Government (FAC)
Commercial Taxes and Registration (M1) Department,
Secretariat, Chennai - 600 009.

...Respondent

Petition filed under Article 226 of The Constitution of India praying to issue a writ of certiorarified mandamus, to call for the records connected with the Letter No.9052/M1/2016-8, dated 08.02.2017 and to quash the same and to reconsider the representation of the petitioner dated 01.08.2016 afresh after giving the petitioner an opportunity.

For Petitioner : Mr. John Zachariah

For Respondent : Mr. A.N. Thambidurai,
Special Government Pleader

O R D E R

Heard learned counsel for the petitioner and Mr. A.N. Thambidurai, learned Special Government Pleader for the respondent.

2. The petitioner has filed the above Writ Petition to issue a writ of certiorarified mandamus, to call for the records connected with the letter dated 08.02.2017 and to quash the same and to re-consider his representation dated 01.08.2016 afresh, after giving him an opportunity of hearing.

3. When the matter is taken up for hearing, the learned counsel appearing for the petitioner submitted that the petitioner is giving up the relief of certiorari, with regard to the quashing of the letter dated 08.02.2017 and that it would be suffice to direct the respondent to consider the petitioner's representation dated 21.02.2017, afresh after giving an opportunity of hearing to him and other interested parties. The learned counsel has also made an endorsement to that effect.

4. Mr. A.N.Thambidurai, learned Special Government Pleader appearing for the respondent submitted that the respondent may

be directed to consider the petitioner's representation dated 21.02.2017 afresh, in accordance with law.

5. Having regard to the submissions made by the learned counsel on either side, without expressing any opinion with regard to the merits of the case, I direct the respondent to consider the petitioner's representation dated 21.02.2017 and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order, after giving notice to the petitioner as well as to other interested parties.

With this observation, the Writ Petition is disposed of. No costs.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

rg/nl
To

The Additional Chief Secretary to Government (FAC)
Commercial Taxes and Registration (M1) Department,
Secretariat, Chennai - 600 009.

+1 CC to Govt. Pleader sr 42375
+1 CC to Fox Mandal Associates, sr 40894

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