

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.12.2017

CORAM

THE HONOURABLE MR. JUSTICE T. RAJA

W.P.No.33293 of 2017 and WMP.No.36724/2017

N.M.Elaiyaperumal

.. Petitioner

Vs.

1. The Secretary to Government,
Commercial Tax and Registration (H)
Department, Fort St. George,
Chennai-9.
2. The Inspector General of Registration,
No.100, Santhome High Road,
Mylapore, Chennai-28.

.. Respondents

Writ Petition filed under Article 226 constitution of India for issuance of a Writ of Certiorari, to call for the records relating to the G.O.(D) No.261, Commercial Tax and Registration (H) Department dated 29.05.2013 and consequently, rejecting the Review Petition in G.O.(Valayam) No.591, Commercial Tax and Registration (H) Department dated 18.11.2014 on the file of the 1st respondent and quash the same.

For Petitioner : Mr.D.Veerasekaran

For Respondents : Mr.RAS.Senthilvel,
1 and 2 Addl. Govt. Pleader

सत्यमेव जयते
O R D E R

The Writ Petition has been filed challenging the G.O.(D) No.261, Commercial Tax and Registration (H) Department dated 29.05.2013 and the consequential rejection Order of the Review Petition made in G.O.(Valayam) No.591, Commercial Tax and Registration (H) Department dated 18.11.2014 by the 1st respondent.

2. Heard the learned Counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents 1 and 2.

3. Though several grounds have been raised in the Writ Petition, a perusal of the impugned order in G.O. (D) No.261, Commercial Tax and Registration (H) Department dated 29.05.2013 shows that a sum of Rs.1,46,150/- was ordered to be recovered from the DCRG of the petitioner for the loss committed by him to the Government and also ordered to recover Rs.500/- p.m. for one year for each of the proved charges against him. Aggrieved over the same, the petitioner has filed a Review Petition. But the same was also rejected in G.O.(Valayam) No.591, Commercial Tax and Registration (H) Department dated 18.11.2014 by the 1st respondent. While so, it is not known why the petitioner who was imposed with the punishment as mentioned above has slept over this matter for the past 3 years. Therefore, the Writ Petition is liable to be dismissed only on the ground of laches.

4. In the result, the Writ Petition fails and the same is accordingly dismissed. No costs. Consequently, connected Miscellaneous Petition is also closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary to Government,
Commercial Tax and Registration (H)
Department, Fort St. George,
Chennai-9.
2. The Inspector General of Registration,
No.100, Santhome High Road,
Mylapore, Chennai-28.

+lcc to MR.D.Veerasekaran, Advocate Sr.No.90931
+lcc to Government Pleader SR.No.91465

NRK(CO)
sm:23.1.2018

W.P.No.33293 of 2017