



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.02.2017

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P.(MD) Nos.8 to 12 of 2017
and
W.M.P(MD)Nos.5 to 9 of 2017

Tvl. Aparajitha Property Shelters(P)Limited,
represented by its Director:S.Venkatesh Kumar,
5-B, Rahtinasamy Nadar Road,
B.B.Kulam,
Madurai - 625 002.

... Petitioner in all W.Ps'

Vs.

The Assistant Commissioner(CT),
Chokkikulam Assessment Circle,
Madurai-20.

.. Respondent in all W.Ps'

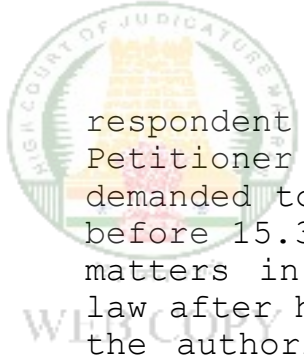
Common Prayer: Writ Petitions filed under Article 226 of the Constitution of India for issuance of a writ of Certiorari calling for the records on the file of the respondent in TIN. No.33145004681/2010-11, TIN. No.33145004681/2011-12, TIN. No.33145004681/2012-13, TIN. No.33145004681/2013-14 and TIN. No.33145004681/2014-15, all dated 21.11.2016 and to quash the same as invalid, illegal and against the Principles of natural justice.

For Petitioner : M/s.A.Chandrasekaran
in all W.Ps'
For Respondent : Mr.R.Karthikeyan
in all W.Ps' Addl.Govt.Pleader

COMMON ORDER

When the matter is taken up for hearing today, the learned counsel for the Petitioner produced an affidavit of undertaking stating that he is ready and willing to deposit 10% of the tax demanded in the orders impugned herein, without prejudice to his rights, within the time fixed by this Court. He submitted that the petitioner was not heard before the decision has been taken and that the order impugned is hit by violation of principles of natural justice.

2.In view of the above submission, this Court is inclined to interfere with the orders impugned herein and accordingly, the orders impugned herein in TIN. No.33145004681/2010-11, TIN. No.33145004681/2011-12, TIN. No.33145004681/2012-13, TIN. No.33145004681/2013-14 and TIN. No.33145004681/2014-15, all dated 21.11.2016 are set aside and the same are remitted back to the



respondent for considering the matter afresh, on condition that the Petitioner in all these Writ Petitions shall deposit 10% of the tax demanded to the credit of each of the orders impugned herein on or before 15.3.2017. On such deposit, the respondent shall take up the matters in question and decide the same afresh in accordance with law after hearing the Petitioner and considering the objection and the authority concerned shall pass orders in accordance with law. The Petitioner shall appear before the authority concerned on 3.4.2017. If the Petitioner fails to remit the amount as above mentioned supra, the orders impugned herein stands restored to file and thereafter, the authority concerned shall proceed with the matter in accordance with law.

6.The Writ Petitions stands allowed on above terms. Consequently, connected Miscellaneous Petitions are closed. No costs.

Sd/-
Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To:

The Assistant Commissioner(CT),
Chokkikulam Assessment Circle,
Madurai-20.

+lcc to M/s.A.Chandra Sekaran Advocate in SR. No.8435

vsn

js/RSK/SAR.3/07.032.2017/2P-3C

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and
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15.02.2017