

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2018

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

Writ Petition No.8287 of 2012
and M.P.No.1 of 2012

M/s.Vikaram Industries,
Rep. by its Prop.D.Ashok Kumar,
110, Nyniappa Naicken Street,
Chennai-600 003.

... Petitioner

-vs-

The Assistant Commissioner (CT),
Park Town I Assessment Circle,
Chennai-600 001.

... Respondent

Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari to call for the records of the respondent in TNGST/0320341/2001-02 dated 12.10.2011 and quash the same.

For Petitioner :S.Raveekumar

For Respondents :Mr.V.Haribabu,
Additional Government Pleader

O R D E R

Heard Mr.S.Raveekumar, learned counsel for the petitioner and Mr.V.Haribabu, learned Additional Government Pleader for the respondent.

2.The petitioner has impugned a communication sent to them by which, the respondent stated that the copies of the documents requested by the petitioner cannot be granted, because there is no specific direction issued by this Court in the earlier writ petition filed by the petitioner in W.P.No.4480 of 2006. The said writ petition was disposed of by order dated 17.02.2006, where the learned Government Advocate submitted that the Department may not be in a position to secure the witnesses, but the Department can produce documents like cancellation of R.C., for perusal of the petitioner. After which, the petitioner requested for copies and agreed to remit the charges. Thus, the respondent has rejected by the impugned notice, which has been challenged before this Court and the writ petition has been

entertained, stay has been granted and the writ petition has been pending for over six years. At this stage of the matter, this Court need not go into the correctness as to whether as a matter of right the petitioner is entitled to copies of those documents or not, as it would suffice to direct the respondent to permit the petitioner to take copies of those documents, which are stated to be not voluminous on cost being remitted by the petitioner.

3. Accordingly, the writ petition is disposed of by directing the respondent to furnish copies of the records relating to registration cancelled dealers at the cost of the petitioner within a period of ten days' from the date of receipt of a copy of this order. After which, the petitioner shall submit their objections within a period of fifteen days' therefrom. On receipt of the objections, the respondent shall fix a date for personal hearing, consider the submissions of the petitioner and redo the assessment in accordance with law. No costs. Consequently, M.P.No.1 of 2012 is closed.

Sd/-

Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

abr
To

The Assistant Commissioner (CT),
Park Town I Assessment Circle,
Chennai-600 001.

+ 1 cc to Mr.S. Raveen Kumar, Advocate SR.46011
+ 1 cc to Special Government Pleader Sr.46238

W.P.No.8287 of 2012

NA (CO)
EU (26/07/2018)

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