



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.04.2018

CORAM:

THE HONOURABLE MR. JUSTICE M. GOVINDARAJ

W.P (MD) No. 9809 of 2018

and

W.M.P. (MD) No. 9004 of 2018

G. Russel Raj,
Proprietor,
Ex. Majestic Homeo Medicine,
Pannaravilai, Veeyanoor Post - 629 177,
Kanyakumari District.

: Petitioner

Vs.

The Commercial Tax Officer,
Thuckalay at Kattathurai,
Kanyakumari District.

: Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondent to consider the representation of the petitioner dated 29.03.2018 and grant to the petitioner the details and documents required in the representation and that relied on in the pre-assessment notice in TIN 33306163258/2007-08, dated 26.10.2017, within such time, as may be directed by this Court.

For Petitioner	: Mr. M. Azeem
For Respondent	: Mr. S. Dhayalan, Government Advocate

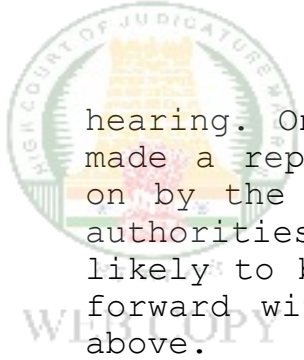
ORDER

The petitioner has come forward with the present Writ Petition seeking for issuance of a Writ of Mandamus, directing the respondent to consider his representation dated 29.03.2018 and grant him the details and documents required in the representation and that relied on in the pre-assessment notice in TIN 33306163258/2007-08, dated 26.10.2017, within the time stipulated by this Court.

2. Mr. S. Dhayalan, learned Government Advocate, takes notice on behalf of the respondent.

3. By consent, the Writ Petition is taken up for final disposal at the stage of admission itself.

4. The petitioner is an assessee and notice was issued to him pointing out certain defects on 26.10.2017. The petitioner filed his objections and also sought for the documents which were relied on by the respondent. In spite of that, he was called for personal



hearing. On 20.04.2018 he appeared before the authority and again, made a representation seeking certain materials, which were relied on by the authorities, for making an effective objection. But the authorities have not furnished the documents. An assessment order is likely to be passed. In such circumstances, the petitioner has come forward with the present Writ Petition for the reliefs as stated above.

5. The learned Government Advocate appearing for the respondent would submit that the documents, if not supplied, will be given to the petitioner.

6. In such circumstances, a direction is given to the respondent to furnish the documents requested by the petitioner by his representation dated 29.03.2018 and thereafter, pass final orders following the due procedure of law and in consonance with the principles of natural justice.

7. The Writ Petition is, accordingly, ordered. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To

The Commercial Tax Officer,
Thuckalay at Kattathurai,
Kanyakumari District.

+1CC to Mr.M.Azeem Advocate in SR.No.64077,
+1CC to the Special Government Pleader in SR.No.64463.

SML
DS/SV/MMS/SAR-1 :16.05.2018: 2P/4C

Order made in
W.P(MD)No.9809 of 2018
Dated: 27.04.2018