IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.07.2020

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THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.Nos.19378 & 19379 of 2013
and M.P.Nos.1 & 2 of 2013

Chemplast Sanmar Limited,
Rep. by its Executive Vice President
(Legal)
9 Cathedral Road,
Chennai- 600 086. ... Petitioner in both the WPs.

Vs.

1.Central Information Commission
Having Office at Room No.326
'C' Wing, Second Floor,
Augus Kranti Bhavan,
Bikaji Kama Place,
New Delhi 110 066.

2.The Income Tax Officer &
Chief Public Information Officer,
Officer of the Commissioner of Income Tax,
Room No.701, VII Floor, New Block 121,
Mahatma Gandhi Road,
Chennai 600 034.

3.The Additional Commissioner of
Income Tax & First Appellate Authority
Office of the Additional Commissioner
of Income Tax, Large Tax Payer Unit
1775, Jawaharlal Nehru Inner Ring Road,
Anna Nagar Western Extension,
Chennai 600 101.

4.Mr.K.Seralathan ... Respondents in both the WPs.

PRAYER in W.P.No.19378 of 2013: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Certiorari, calling for the records of the first respondent in proceedings No.CIC/RM/A/2012/000964 dated 19.06.2013 and to quash the same.

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PRAYER in W.P.No.19379 of 2013: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the first respondent to take on record the statutory appeal filed by the petitioner sent under Registered Post Acknowledge due under Receipt No.B RTO98373083IN on 16.10.2012 and dispose of the same in accordance with law.

For Petitioner : Mr.C.Vigneswaran
for Mr.R.Parthiban

For Respondent : Mrs.Hema Muralikrishnan
Nos.2 & 3

C O M M O N O R D E R

Today, the matter is listed through Video Conference. By consent of both the parties, the Writ Petition is taken up for final disposal.

2. Mr.C.Vigneswaran, the learned counsel for the petitioner would submit that certain information was sought for by the fourth respondent before the respondents 1 and 2. This information relates to the functioning and administration of the petitioner's company to which he raised certain objections. The learned counsel would also submit that pending Writ Petitions, the fourth respondent died. No application for substituting the legal heirs of the fourth respondent has been filed before this Court and the Writ Petition has abated.

3. Even otherwise, it is seen that the fourth respondent was originally interested in seeking certain information from the respondents 1 and 2 touching upon the approval of provident fund and other incidental issues. Now that, it is brought to the notice of this Court that the fourth respondent is no more, no effective orders can be passed in the absence of the fourth respondent, apart from abatement of the Writ Petition. However, if the legal heirs of the fourth respondent are of the view that the issue with regard to seeking certain information requires to be continued, they are granted liberty to proceed, in accordance with law.

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4. In the light of the above observations and taking into account that no effective adjudication can be made in the present cases, the Writ Petitions stand closed with the above liberty to the legal heirs of the fourth respondent. Consequently, connected Miscellaneous Petitions are closed. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

1.The Central Information Commission
Having Office at Room No.326
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