

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2021

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P. No.18259 of 2020

R.Parimala Ramani Mohan

...Petitioner

Vs

1.The Joint Commissioner of Commercial Taxes,
Salem Division, Salem.

2.Asst. Commissioner of Commercial Taxes,
Dharmapuri.

3.Asst. Commissioner of Commercial Taxes,
Krishnagiri - 1 Zone, Krishnagiri.

4.Joint II Sub-Registrar,
Krishnagiri.

5.The Manager,
Canara Bank,
Krishnagiri Branch.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to Writ of Mandamus to direct the Respondents 1 to 3 to issue 'No Due Certificate' to the petitioner, after adjusting the total and final due of Rs.1,80,934/- from and out of our bank guarantee amount of Rs.7,11,000/- furnished through 5th Respondent Bank and to refund the remaining amount of Rs.5,30,066/- and consequentially direct the 4th Respondent to release the Pending Document No.54/2019 to the petitioner within a reasonable time to be fixed by this Court.

For Petitioner : Mr.R.Neelakandan

For Respondents : Mr.ANR.Jaya Prathap (for R1 to R3)
Government Advocate
No Appearance (for R4)

O R D E R

The petitioner has sought a mandamus directing the respondents 1 to 3/Commercial Taxes Department to issue 'No Due Certificate' to the petitioner, after adjusting the final arrears from out of the amount of bank guarantee and refund the balance and consequentially directing the 4th respondent to release Document No.54/2019 within a time frame fixed by this Court. After hearing the learned counsel for the petitioner, an order was passed by this Court on 11.12.2020, wherein liberty was granted to R1, before whom the representation is pending, to hear the petitioner and pass orders notwithstanding the pendency of this writ petition.

2. Today Mr.Jaya Prathap, learned Government Advocate for the respondents states that the representation of the petitioner dated 31.07.2020 has been disposed, though adverse to the petitioner and order dated 01.02.2021 had been passed and duly served upon the petitioner on 05.02.2021. Liberty is granted to the petitioner to challenge the aforesaid order in accordance with law. Nothing further survives in this writ petition as the mandamus sought for cannot granted in the light of order dated 01.02.2021. A copy of order dated 05.02.2021 be placed on record.

3. This writ petition is dismissed. No costs.

Sd/-

Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

vs/rkp

To

1.The Joint Commissioner of Commercial Taxes,
Salem Division, Salem.

2.Asst. Commissioner of Commercial Taxes,
Dharmapuri.

3.Asst. Commissioner of Commercial Taxes,
Krishnagiri - 1 Zone, Krishnagiri.

4.Joint II Sub-Registrar,
Krishnagiri.

+1cc to Special Government Pleader(Taxes), S.R.No.6887

W.P. No.18259 of 2020

PVS(CO)
KKV/22/02/2021



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