



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.11.2021

CORAM:

THE HONOURABLE DR JUSTICE ANITA SUMANTH

W.P. (MD) No.8401 of 2018

WEB COPY

R.Karunanithi

... Petitioner

Vs.

1.The Secretary to Government,
Commercial Taxes and Registration Department,
George ST. Fort, Chepauk, Chennai - 5.

2. The Commissioner of Commercial Taxes,
Commercial Taxes Department,
1st Floor, Ezhilagam, Chepauk, Chennai - 9.

3. The National Commission for Scheduled Castes
5th Floor, Lok Nayak Bhawan, Khan Market,
New Delhi - 11 003.

4.P.Shanmuganathan,
Joint Commissioner/Additional Member,
Sales Tax Appellate Tribunal,
High Court Campus,
Chennai - 600 001.

... Respondents

(R4 is impleaded Vide Court order dated 12.11.2021
in WMP(MD)No.12270 of 2018 in WP(MD)No.8401/2018 by ASMJ)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the 1st and 2nd respondents to refer petitioner's complaints dated 10.02.2017, 30.10.2017, 19.12.2017 and 19.02.2018 to the third respondent viz. The National Commissioner for Scheduled caste for taking appropriate action in accordance with law.

For Petitioner	:	No appearance
For R1 & R2	:	Mr.A.K.Manikkam Special Government Pleader
For R4	:	Mr.Vinoharan for Mr.G.Prabhu Rajadurai
For R3	:	No appearance

O R D E R

On 12.11.2021, there was no representation before this Court, by any of the parties barring the learned counsel for the fourth respondent. The following order had been passed:

<https://hcservices.ecourts.gov.in/hcservices> The petitioner is called absent.



2. Heard Mr. Prabhu Rajadurai, learned counsel for the newly impleaded respondent. None of the other parties have appeared.

3. Prima facie and based up on the instructions filed by the Commercial Tax Department in letter No. CD2/5246/2018 dated 30.05.2018, it appears that the prayer sought by the petitioner has worked itself out. The complaints filed by the petitioner as against the newly impleaded respondent namely, P. Shanmuganathan are referred to at para No.2 of the instructions.

4. The authority concludes that no clear proof has been adduced by the petitioner in support of such allegations and thus, no action has been initiated in regard to his complaints. Let a copy of the aforesaid communication be supplied to the petitioner.

5. List on 19.11.2021 under the caption 'for dismissal' ''.

2. The matter is listed under the caption 'for dismissal' today, but there is no appearance by or on behalf of the petitioner even today. This Petition is hence dismissed both for non-prosecution as well as for the reasons stated in the order dated 12.11.2021. No costs.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

CM

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To,

1. The Secretary to Government,
Commercial Taxes and Registration Department,
George ST. Fort, Chepauk, Chennai - 5.

2. The Commissioner of Commercial Taxes,
Commercial Taxes Department,
1st Floor, Ezhilagam, Chepauk, Chennai - 9.

<https://hcservices.ecourts.gov.in/hcservices/>



3. The National Commission for Scheduled Castes
5th Floor, Lok Nayak Bhawan, Khan Market,
New Delhi - 11 003.

+1 CC to M/s.G.PRABU RAJADURAI, Advocate (SR-35376[F] dated
22/11/2021)

+1 CC to M/s.SPL GP (SR-35339[F] dated 22/11/2021)

W.P. (MD) No.8401 of 2018
19.11.2021

SR(CO)
SB(14.12.2021) 3P 6C