



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.02.2022

CORAM :

The HON'BLE Mr. JUSTICE R.MAHADEVAN

AND

The HON'BLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

W.A.No.918 of 2011

K.Devaraj

... Appellant/Petitioner

Vs.

The Commissioner of Income Tax,
4, Willams Road,
Cantonment, Trichirapalli.

... Respondent/Respondent

Writ Appeal filed under Clause 15 of Letters Patent against the order dated 13.04.2010 passed by the learned Judge in W.P.No.4234 of 2002.

Prayer in W.P.No.4234 of 2002 : Writ Petition filed under Article 226 of Constitution of India to call for the records of the impugned order in C.No.60978(33) 1998-99 dated 16.06.2001, passed by the respondent and quash the same and directing the Respondent to consider the plea for the grant of interest on the excess amount refunded for on the date of seizure till the date of refund

For Appellant : No Appearance

For Respondent : Mrs.Hema Muralikrishnan
Senior Standing Counsel

J U D G M E N T

(Judgment of the court was delivered by R.MAHADEVAN, J.)

Originally, the writ appeal was dismissed for non-prosecution on 30.06.2011. On petition, the same was restored to file by order dated 24.11.2011. Thereafter, the matter was admitted on 05.11.2014 and notice was ordered on the respondent.

2.When the writ appeal was taken up for hearing on 12.01.2022, it was represented by the learned counsel for the appellant that he has no instructions from the appellant. In



view of the same, this court directed the Registry to issue notice to the appellant for the hearing on 02.02.2022. Despite the service of notice and the name of the appellant having been printed in the cause list, there was no appearance on behalf of the appellant, when the matter was called on 09.02.2022 and hence, the same was directed to be posted under the caption 'for dismissal' on 23.02.2022. Even today, there is no representation for the appellant. Therefore, the writ appeal is dismissed for default. No costs.

Sd/-
Assistant Registrar(CS-VIII)

//True copy//

Sub Assistant Registrar

msr

To

The Commissioner of Income Tax,
No.4, Willams Road,
Cantonment, Trichirapalli.

+1cc to Mrs.Hema Muralikrishnan, Advocate SR.No.12435

W.A.No.918 of 2011

SJ(CO)
GMY(10/03/2022)