



W.P.(MD)No.27593 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:06.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.27593 of 2022

and

W.M.P(MD)No.21688 of 2022

A.Muthupandi

... Petitioner

Vs.

1.The Principal Secretary/Commissioner,
Commercial Tax,
Ezhilagam, Chepauk, Chennai – 600 005.

2.The Joint Commissioner,
Commercial Taxes(State Tax),
Madurai division, Commercial Taxes Buildings,
Dr.Thangraj Salai,
Madurai – 20.

3.The Deputy Commissioner,
Commercial Tax(West),
Madurai Division, Commercial Taxes Buildings,
Dr.Thangaraj Salai, Madurai.

4.Assistant Commissioner(Inquiry Officer),
Commercial Tax Office,
Madurai East, Madurai.

... Respondents



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Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned 17(b) charges issued by the third respondent herein in his proceedings in Na.Ka.No.3598/2022/Aa2, dated 12.07.2022 and subsequently the fourth respondent herein issued impugned notice to the petitioner in Na.Ka.No.3447/2022/A8, dated 30.11.2022, quash the same as illegal and consequently direct the first respondent to consider the petitioner's representation dated 16.11.2022 within a time frame that may be stipulated by this court.

For Petitioner	: Mr.V.Palanichamy
For Respondents	: Mr.G.V.Vairam Santhosh, Additional Government Pleader

ORDER

Though the petitioner has filed this writ petition challenging the chare-memo issued by the third respondent, 12.07.2022 and the consequential enquiry notice issued by the fourth respondent, 30.11.2022, the learned counsel appearing for the petitioner restricted the prayer and submitted that it would suffice, if the fourth respondent is directed to furnish necessary documents to the petitioner to enable him to defend the enquiry.



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2. The learned Additional Government Pleader appearing for the respondents would submit that the documents annexed in the charge memo will be furnished to the petitioner and thereafter, the departmental proceedings will be concluded in the manner known to law, after providing due opportunity to the petitioner.

3. Recording the same, this writ petition is dismissed with a direction to the fourth respondent to furnish all the relevant documents, within a period of one week from the date of receipt of a copy of this order, to enable the petitioner to defend the enquiry and thereafter, conclude the proceedings within a period of six months thereafter, after providing due opportunity to the petitioner. No Costs. Consequently, connected miscellaneous petition is closed.

06.12.2022

pm
Index: Yes/No

Note: Issue Order Copy on 07.12.2022

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M.DHANDAPANI,J.

pm

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