



W.P.(MD) No.4631 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.03.2023

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.4631 of 2023

and

W.M.P.(MD) Nos.4319, 4320 and 4322 of 2023

SRM Hotel Private Limited,
Rep., by its Executive Director,
Antony Ashok Kumar,
Race Course Road, Khajamalai,
Tiruchirappalli-620 023.

.. Petitioner

Vs.

1.Assistant Commissioner (ST),
Srirangam Assessment Circle,
Melur Road, Municipal Colony,
Srirangam, Trichy-620 006.

2.Appellate Deputy Commissioner (ST) (Legacy),
Government Building,
3rd Floor, Court Compound,
Kajamalai, Trichy-620 001.

3.The Branch Manager,
HDFC Bank Limited,
Thillai Nagar Branch,
No.8-B, 11th Cross,
Thillai Nagar, Trichy-620 018.

.. Respondents



W.P.(MD) No.4631 of 2023

Prayer :- Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus, to call for the impugned proceedings of the First Respondent passed in RC.No. 1107/2019/A3 dated 03.02.2023 addressed to the third respondent and quash the same and further direct the second respondent to hear the pending appeals in LHT A.P. Nos. 01 to 06 and 13 of 2019 and VAT AP 71 to 77 of 2019 in a time framed manner to be fixed by this Court.

For Petitioner : Mr.M.Murali

For RR1 & 2 : Mr.D.Gandhiraj
Special Government Pleader

ORDER

This writ petition is filed to issue Writ of Certiorarified Mandamus to quash the impugned proceedings of the first respondent passed in RC.No.1107/2019/A3, dated 03.02.2023 addressed to the third respondent and further direct the second respondent to hear the pending appeals in LHT A.P. Nos.01 to 06 and 13 of 2019 and VAT AP Nos.71 to 77 of 2019 in a time framed manner.

2. Though the writ petition is filed for a Certiorarified Mandamus, in respect of the proceedings of the first respondent dated 03.02.2023, it



W.P.(MD) No.4631 of 2023

is seen that the petitioner has moved appeals before the second respondent with reference to the very same issue. Therefore, this Writ Petition is disposed of directing the second respondent to pass orders on the appeals filed by the petitioner within a period of six weeks from the date of receipt of a copy of this order. Till the disposal of the appeals, there shall be an order of stay not to take coercive action against the petitioner, since the respondents are protected by the personal bond that has been already furnished by the petitioner. It is made clear that the order of stay shall stand vacated, if the petitioner does not appear for any of the personal hearings, since a grievance (though refuted) had been expressed by the learned Special Government Pleader that the petitioner has kept away from the hearings on several occasions.

3. With the above direction, this Writ Petition stands disposed of.
No costs. Consequently, connected miscellaneous petitions are closed.

10.03.2023

NCC : Yes/No
Index : Yes/No
abr



WEB COPY



W.P.(MD) No.4631 of 2023

P.T.ASHA, J.

abr

To

- 1.The Assistant Commissioner (ST),
Srirangam Assessment Circle,
Melur Road, Municipal Colony,
Srirangam, Trichy-620 006.
- 2.The Appellate Deputy Commissioner (ST) (Legacy),
Government Building,
3rd Floor, Court Compound,
Kajamalai, Trichy-620 001.

W.P.(MD) No.4631 of 2023

Dated: 10.03.2023