



W.P.(MD) No.5202 of 2023

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 13.03.2023**

**CORAM:**

**THE HONOURABLE MS.JUSTICE P.T.ASHA**

W.P.(MD) No.5202 of 2023

and

W.M.P.(MD) No.4902 of 2023

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

... Petitioner

Vs.

1. Appellate Deputy Commissioner (St) (Legacy),  
Government Building,  
3<sup>rd</sup> Floor, Court Compound, Kajamalai,  
Trichy-620 001.

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

... Respondents

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 1<sup>st</sup> respondent passed in Na.Ka.No.



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474/2023/A2, dated 24.02.2023 for the year TNVAT 2010-2011 and quash the same and further direct the 1<sup>st</sup> respondent to dispose off the appeal pending in VAT AP No.73/2019 in a time framed manner to be fixed by this Court.

For Petitioner : Mr.N.Murali

For Respondents : Mr.D.Ghandiraj  
Special Government Pleader

### **ORDER**

This writ petition is filed for issuance of Writ of Certiorarified Mandamus to call for the impugned proceedings of the 1<sup>st</sup> respondent passed in Na.Ka.No.474/2023/A2, dated 24.02.2023 for the year TNVAT 2010-2011 and quash the same and further direct the 1<sup>st</sup> respondent to dispose off the appeal pending in VAT AP No.73/2019 in a time framed manner to be fixed by this Court.

2. Though the writ petition is filed for a Certiorarified Mandamus, in respect of the proceedings of the first respondent dated 24.02.2023, it is seen that the petitioner has moved an appeal before the first respondent with reference to the very same issue. Therefore, the first respondent is



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directed to pass orders on the appeal 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 appeal, there shall be an order of stay not to take coercive 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 Government Advocate 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 petition is closed.

**13.03.2023**

NCC : Yes/No

Index : Yes/No

Internet : Yes

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P.T.ASHA, J.

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To

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