



W.P.(MD) No.5209 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.03.2023

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.5209 of 2023

and

W.M.P.(MD) No.4908 of 2023

SRM Hotel Annex,
Represented by its Authorized Signatory
Antony Ashok Kumar
No.8/6-3A, Tanjore Road,
Tiruchirappalli-620008.

... Petitioner

Vs.

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

2. The Assistant Commissioner (ST),
Tiruverambur Assessment Circle,
Multi Storied Building,
Trichy-620 020.

... 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 1st respondent passed in Na.Ka.No.



W.P.(MD) No.5209 of 2023

494/2023/A2, dated 24.02.2023 for the year TNVAT 2012-2013 and quash the same and further direct the 1st respondent to dispose off the appeal pending in VAT AP No.49/2019 in a time framed manner to be fixed by this Court.

For Petitioner : Mr.N.Murali

For Respondents : Mr.A.Sivanupandian
Government Advocate

ORDER

This writ petition is filed for issuance of Writ of Certiorarified Mandamus to call for the impugned proceedings of the 1st respondent passed in Na.Ka.No.494/2023/A2, dated 24.02.2023 for the year TNVAT 2012-2013 and quash the same and further direct the 1st respondent to dispose off the appeal pending in VAT AP No.49/2019 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



W.P.(MD) No.5209 of 2023

WEB COPY

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

cp



WEB COPY



W.P.(MD) No.5209 of 2023

P.T.ASHA, J.

cp

To

1. Appellate Deputy Commissioner (St) (Legacy),
Government Building,
3rd Floor, Court Compound, Kajamalai,
Trichy-620 001.
2. The Assistant Commissioner (ST),
Tiruverambur Assessment Circle,
Multi Storied Building,
Trichy-620 020.

W.P.(MD) No.5209 of 2023

Dated: 13.03.2023