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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **13.02.2024**

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THE HONOURABLE **MR.JUSTICE SENTHILKUMAR RAMAMOORTHY**

Writ Petition No.7335 of 2023

A.Pannerselvam ... Petitioner

-vs-

The Assistant Commissioner (ST)(FAC),
Arisipalayam Circle,
Salem. ... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondent to consider the petitioner's representation dated 05.10.2021 and the reminder dated 05.09.2022 in pursuant to give all the documents called for to enable the petitioner to file an appeal before the appellate authority.

For Petitioner : Mr.T.Ramesh

For Respondent : Mr.T.N.C.Kaushik,
Additional Government Pleader (T)

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ORDER

By this writ petition, the petitioner seeks a direction to provide the seven documents listed in paragraph 6 of the affidavit pursuant to representations issued by the petitioner requesting for the same.

2. An assessment order was issued on 05.08.2021 against the petitioner. In connection with the filing of an appeal in relation thereto, the petitioner submitted a representation dated 05.10.2021 requesting for copies of the seven documents listed therein. Since there was no response from the respondent, reminders were issued on 08.11.2021, 19.01.2022, 10.02.2022 and 05.09.2022. Since the representation and reminders did not elicit a response from the respondent, the present writ petition was filed.

3. Learned counsel for the respondent seeks time to file a counter.

4. The relief claimed in the writ petition is for a direction to provide the seven documents listed in paragraph 6 of the affidavit. On examining the assessment order, I find that the documents listed at Sl.Nos.(iii) and (iv) are referred to therein. As regards the document requested at Sl.No.(i), learned

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counsel for the petitioner submits that it is a part of the assessment order. As regards documents listed at Sl.Nos.(v) to (vii), it is unclear as to whether such documents are available with the respondent.

5. In these circumstances, it is sufficient if the respondent is directed to consider the representation and respond thereto within a specified time limit.

6. Accordingly, W.P.No.7335 of 2023 is disposed of by directing the respondent to consider the representation dated 05.10.2021 and the reminders and representations subsequent thereto and dispose of the same either by providing copies of the documents or setting out reasons for inability or refusal to provide the same. Such order shall be issued within a maximum period of 30 days from the date of receipt of a copy of this order. There will be no order as to costs.

13.02.2024

Index : Yes / No
Internet : Yes / No
Neutral Citation: Yes / No
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SENTHILKUMAR RAMAMOORTHY,J.

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To

The Assistant Commissioner (ST)(FAC),
Arisipalayam Circle,
Salem.

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