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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **02.08.2024**

CORAM

THE HONOURABLE **MR.JUSTICE SENTHILKUMAR RAMAMOORTHY**

W.P.No.18988 of 2024
and W.M.P.No.20839 of 2024

M/s.Precot Meridian Limited
Represented by its Manager (Administration & Accounts)
Mr.S.Muthukumar
7/161, Green Fields
Coimbatore 641 045. ... Petitioner

-vs-

The Assistant Commissioner (ST)
Trichy Road Assessment Circle
Coimbatore. ... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, pleased to issue a Writ of Certiorari, call for the records on the files of the respondent in his Reference No. TIN.33861880109 / 2012-13 dated 07.03.2024 and quash the same.

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For Petitioner : Mr.K.A.Parthasarathi

For Respondent : Mr.V.Prashanth Kiran, GA (T)

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ORDER

An order dated 07.03.2024 is challenged primarily on the ground that the order came to be issued about nine years after the notice referred to therein. Learned counsel for the petitioner submits that notice dated 23.06.2015 was not received by the petitioner. Even assuming such notice was received, he submits that there is an interval of about nine years between the date of the notice and the date of the order. Without providing a personal hearing and without issuing any other communication in the interregnum, he submits that the impugned order was issued.

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2. Mr.V.Prashanth Kiran, learned Government Advocate, accepts notice for the respondent. On instructions, he submits that notice dated 23.06.2015 was served on the petitioner. Without prejudice, he submits that the matter may be remanded so as to provide an opportunity to the petitioner.

3. The impugned order does not make reference to any communication or development subsequent to notice dated 23.06.2015, and the order appears to have been issued about nine years thereafter without providing a personal hearing or any other opportunity. In those circumstances, the impugned order cannot be sustained.

4. Therefore, W.P.No.18988 of 2024 is disposed of by setting aside impugned order dated 07.03.2024 and remanding the matter for re-consideration. After providing a reasonable opportunity to the petitioner, including a personal hearing, a fresh order may be issued. All contentions are left open to the petitioner. No costs.

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Consequently, W.M.P.No.20839 of 2024 is closed.

02.08.2024

rna
Index : Yes / No
Internet : Yes / No
Neutral Citation: Yes / No

To

The Assistant Commissioner (ST)
Trichy Road Assessment Circle
Coimbatore.

SENTHILKUMAR RAMAMOORTHY,J

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