



WEB COPY



W.P.No.22802 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.08.2024

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THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P. No.22802 of 2024 and W.M.P. Nos.24831 and 24832 of 2024

M-Arc Constructions
represented by its Managing Partner, K. Mani
C 30/20, T.N.H.B. Bagalur Road HUDCO
Hosur
Krishnagiri 635 109

.. Petitioner

Vs

The Deputy State Tax Officer (Intelligence)
Adjudication Wing, Hosur
3/47, Sapthagiri Complex
Thorapalli Agraharam Village
Adjacent to Ashok Leyland Unit – II, Gandhi Nagar
Hosur (TK), Krishnagiri District 635 109
Tamil Nadu

..Respondent

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of certiorari to call for the records of the respondent's order dated 29.01.2024 in Reference No.33ABCFM7719B1ZL/2022-23 and to quash the same as it has been passed in violation of principles of natural justice.

For Petitioner

Ms. Janani

For respondent

Mrs. K. Vasanthamala
Government Advocate (Taxes)



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ORDER

This writ petition has been filed against the order dated 29.01.2024 passed by the respondent, on the ground that it is so cryptic, as it travelled beyond the show cause notice.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Taxes) appearing for the respondent and perused the materials placed on record.

3. The learned Government Advocate (Taxes) appearing for the respondent submitted that there is an alternative remedy of appeal available to the petitioner, which he had failed to avail.

4. Considering the fact that the petitioner has not exhausted the alternative remedy available to him and no case is also made out by the petitioner to entertain this writ petition, this writ petition stands dismissed, granting liberty to the petitioner to file an appeal before the appellate authority, within a period of 30 days from the date of receipt of a copy of this order, in which event, the appellate authority shall take the appeal on record, upon



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payment of 10% of the tax demand by the petitioner, without insisting upon the

issue of limitation and pass orders on merits in accordance with law. No costs.

Connected W.M.P.s are closed.

14.08.2024

gya

Index : Yes/No

Neutral Citation : Yes/No

To

The Deputy State Tax Officer (Intelligence)

Adjudication Wing, Hosur

3/47, Sapthagiri Complex

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Adjacent to Ashok Leyland Unit – II, Gandhi Nagar

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KRISHNAN RAMASAMY, J.

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