



W.A.(MD)No.239 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.A.(MD)No.239 of 2024

and

C.M.P.(MD)No.2080 of 2024

- 1.The State of Tamil Nadu,
Represented by its Secretary,
Department of Commercial Taxes and
Registration Department,
Secretariat, St. George Fort,
Chennai – 600 009.
- 2.The Principal Secretary /
Commissioner of Commercial Taxes,
Ezhilagam,
Chepauk,
Chennai – 600 005.
- 3.The Joint Commissioner of Commercial Taxes,
Madurai Division,
Dr.Thangaraj Salai,
Madurai – 625 020.

: Appellants

Vs.

L.Janarthanan

: Respondent



W.A.(MD)No.239 of 2024

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, praying to set aside the order passed by this Court in W.P.(MD) No.7591 of 2014 dated 16.12.2022.

For Appellants : Mr.S.P.Maharajan
Special Government Pleader
For Respondent : Mr.D.Senthil

JUDGMENT

[Judgment of the Court was delivered by **D.KRISHNAKUMAR, J.**]

This Writ Appeal has been preferred as against the order passed by this Court in W.P.(MD)No.7591 of 2014 dated 16.12.2022.

2.The learned Special Government Pleader appearing for the appellants would submit that another delinquent officer namely Muthazhagu has filed a Writ Petition in W.P.(MD)No.7477 of 2014, challenging the punishment imposed for the same occurrence as that of the respondent herein and the said writ petition came to be allowed. The Writ Appeal filed by the department came to be dismissed vide order dated 29.11.2023 in W.A.(MD)No.2025 of 2023.



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3.The present appeal filed by the department is also on the same charges framed against the respondent / writ petitioner.

4.In view of the order passed in the aforesaid writ appeal, since the respondent herein is a co-delinquent in the aforesaid charges, this Writ Appeal is dismissed, confirming the order passed by the learned Single Judge. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

[D.K.K.,J.] & [R.V.,J.]
21.02.2024

Neutral Citation : Yes/No

Index : Yes/No

Internet : Yes/No

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D.KRISHNAKUMAR, J.

and

R.VIJAYAKUMAR, J.

MR

ORDER MADE IN

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