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W.P.Nos.27736 & 27737 of 2007

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2025

CORAM

THE HONOURABLE MR.JUSTICE M.SUNDAR

and

THE HONOURABLE MRS.JUSTICE K.GOVINDARAJAN THILAKAVADI

W.P.Nos.27736 & 27737 of 2007

and

M.P.Nos.1 & 1 of 2007

Tvl. Kumar Sago Factory
Represented by its Partner
Mr.Illangkumar

...Petitioner
in both WPs

Vs

The Deputy Commercial Tax Officer
Harur.

...Respondent
in both WPs

Writ Petition No.27736 of 2007 filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, to call for the records on the files of the respondent herein in TNGST.3340982/2004-05 dated 28.06.2007 and quash the same.

Writ Petition No.27737 of 2007 filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, to call for the records on the files of the respondent herein in TNGST.3340982/2003-04 dated 28.06.2007 and quash the same.

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For Petitioner in both WPs : No appearance
For Respondent in both WPs : Mr.C.Harsha Raj
Special Government Pleader

COMMON ORDER

[Order of the Court was made by **M.SUNDAR, J.,**]

Read this in conjunction with and in continuation of earlier proceedings made in the previous listing on 14.11.2024 which reads as follows:

Proceedings in W.P.No.27736 of 2007:

***'W.P. No.27736 of 2007
and M.P. No.1 of 2007***

M.SUNDAR, J.,

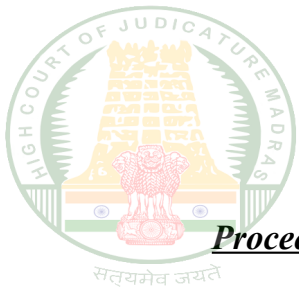
and

K.RAJASEKAR, J.,

(Order of the Court was made by M.SUNDAR, J.)

In the captioned writ petition, Thiru.R.Senniappan is the lone counsel on record for writ petitioner. Today, we are informed that Thiru.R.Senniappan is no more. We are also further informed that no counsel has come forward to file vakalatnama or represent the writ petitioner saying they have instructions. To be noted, as already alluded to supra, Thiru.R.Senniappan is the lone counsel on record and there is no other co-counsel or juniors on record. Therefore, with the intention of giving opportunity to the writ petitioner, Registry is directed to send notice to the writ petitioner (without insisting on batta from the respondent) and the notice shall be returnable in four weeks i.e., returnable by 12.12.2024.

List on 12.12.2024.'



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Proceedings in W.P.No.27737 of 2007:

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**'W.P. No.27737 of 2007
and M.P. No.1 of 2007**

**M.SUNDAR,J.,
and
K.RAJASEKAR, J.,**

(Order of the Court was made by M.SUNDAR, J.)

In the captioned writ petition, Thiru.R.Senniappan is the lone counsel on record for writ petitioner. Today, we are informed that Thiru.R.Senniappan is no more. We are also further informed that no counsel has come forward to file vakalatnama or represent the writ petitioner saying they have instructions. To be noted, as already alluded to supra, Thiru.R.Senniappan is the lone counsel on record and there is no other co-counsel or juniors on record. Therefore, with the intention of giving opportunity to the writ petitioner, Registry is directed to send notice to the writ petitioner (without insisting on batta from the respondent) and the notice shall be returnable in four weeks i.e., returnable by 12.12.2024.

List on 12.12.2024.'

2. Pursuant to aforementioned proceedings, Registry has sent notice to writ petitioner but the same has been returned with postal acknowledgment 'left'. To be noted, thereafter, there have been multiple listings on 12.12.2024, 19.12.2024, 09.01.2025, 23.01.2025 and 06.02.2025. This Court is informed that writ petitioner has not made any alternate arrangements.



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3. Considering the facts and circumstances of the case and nature of the matter, we find that notice to respondent sent without insisting on batta will suffice and it may not be necessary to resort to substituted service.

In this view of the matter, both the captioned Writ Petitions are dismissed for default / non-prosecution. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

[M.S.,J.]

[K.G.T.,J.]

21.02.2025

Index : Yes / No

Neutral Citation : Yes / No

Speaking order / Non-speaking order

mk

To
The Deputy Commercial Tax Officer
Harur.

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M.SUNDAR, J.,
and
K.GOVINDARAJAN THILAKAVADI, J.,

mk

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