

(2011) 03 MAD CK 0443

In the Madras High Court

Case No : Writ Petition No. 3106 of 2011 and M.P. No. 1 of 2011

Sarah Enterprises

APPELLANT

Vs

The Commercial Tax Officer

RESPONDENT

Date of Decision : 17-03-2011

Acts Referred:

Citation : (2011) 03 MAD CK 0443

Hon'ble Judges : M. Jaichandren, J

Bench : Single Bench

Advocate : M.D. Ghafoorur Rahman, for the Appellant; J. Ganesan, Government Advocate (Tax), for the Respondent

Judgement

M. Jaichandren, J.—Heard the learned Counsel appearing for the Petitioner and the learned Government Advocate (Tax) appearing for the Respondent.

2. At this stage of the hearing of the writ petition, the learned Counsel appearing on behalf of the Petitioner has submitted that it would suffice, if the impugned order of the Respondent, dated 10.01.2011, is set aside and if the Respondent is directed to permit the Petitioner to file the necessary documents and to give the Petitioner an opportunity of personal hearing before a final order is passed.

3. The learned Government Advocate (Tax), appearing on behalf of the Respondent, has no objection for such an order being passed by this Court.

4. In view of the submissions made by the learned Counsels appearing on either side, the impugned order of the Respondent, dated 10.01.2011, is set aside, permitting the Petitioner to file the necessary documents before the Respondent, to substantiate his claims, within a period of 15 days from the date of receipt of a copy of this order. On receipt of such documents, the Respondent shall consider the same and pass appropriate orders thereon, on merits and in accordance with law, as expeditiously as possible, after giving an opportunity of personal hearing to the authorised representative of the Petitioner.

The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.