

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.02.2015

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.3512 of 2015

and

M.P.Nos.1 and 2 of 2015

1.V.S.Arunachalam
2.Tmt.A.Savithri
3.A.Nithya
4.A.Dinesh
5.A.Jayachandran

... petitioners

Versus

1.The Commissioner,
Corporation of Chennai,
Ripon Building,
Chennai - 600 003.

2.The Assistant Revenue Officer,
Corporation of Chennai,
Ripon Building,
Chennai - 600 003.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India praying to issue a writ of Certiorarified Mandamus, to call for the records in tabular of tax (Ref.No.AR01NZ07) dated 29.12.2014 by the 2nd respondent and quash the same and direct the respondents to assess the property tax in accordance with due process of law.

For petitioner : Mr.B.Nedunchezhiyan

For Respondents : Mr.B.B.Senthilkumar

O R D E R

The petitioners have come forward with the present writ petition to quash the order of the 2nd respondent dated 29.12.2014 and to direct the respondents to assess the property tax in accordance with law.

2. Since the respondents have agreed to reassess the property and also submitted that the area is now coming within the Chennai Corporation and is partly commercial and partly residential, the impugned order is to be set aside and the matter is remitted to the authorities concern to reassess the property tax. According to the respondents, the total extent of the area is 18,325 sq. ft. Apart from the area, others are underground area and the same has not been assessed. The petitioner has no objection for the authority in assessing the area and fixing the property tax. To avoid further litigation on this issue, this Court directs the authority to reassess the entire area and assess the property tax in accordance with law after giving an opportunity of hearing to the petitioner. If necessary, it is open to the authority to video graph the entire area to give quietus to the matter.

3. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

vsm

To

1.The Commissioner,
Corporation of Chennai,
Ripon Building,
Chennai - 600 003.

2.The Assistant Revenue Officer,
Corporation of Chennai,
Ripon Building,
Chennai - 600 003.

1 cc to M/s.B.B. Sendhilkumar, Advocate, sr. 10388
1 cc to M/s.B. Nedunchezhiyan, advocate, sr. 10494

W.P.No.3512 of 2015

CA (CO)
kk 10/3