

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.37169 of 2015
and M.P.No.1 of 2015

No.90 Kattavakkam Village Panchayat
rep. by its President R.Narasimman

... Petitioner

vs.

1.The Superintendent of Police,
Kancheepuram District,
Kancheepuram.

2.The Inspector of Police,
B.5, Walajabad Police Station,
Walajabad, Kancheepuram District.

3.The Block Development Officer,
(Village Panchayat),
Walajabad Panchayat Union,
Walajabad, Kancheepuram District.

4.M.Anitha

5.M.Subramanian

6.J.John Silas

7.M.Shiyamala

8.V.Ganesh Kumar

9.Usha Rangarajan

10.Rajamannar Ramaswamy

11.N.Ramya

12.R.Umasankar

13.P.Sundaramurthy

14.Inno Geo City,

Oragadam City Developers (P) Ltd.,

rep. by its Executive Director.

... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents 1 and 2 to consider the petition dated 29.10.2015 filed by the petitioner for police protection on 09.11.2015 or any other subsequent dates for the petitioner and provide sufficient police protection to the petitioner and to its officials to enter into the area encircled within the

compound of Inno Geo City, Vilagam Village, Walajabad Taluk, Kancheepuram District, for inspecting the houses constructed in Sector No.1 to note down the measurement of each houses, materials used thereon, such as wood, flooring, electrical fittings and any other amenities provided in the row of houses constructed therein and handed over by the 14th respondent to the owners including the respondents 4 to 13 for the purpose of fixation of property tax in respect of the aforesaid houses by the petitioner.

For Petitioner : Mr.P.Mani

For respondents: Mr.C.Emalias,
Addl. Public Prosecutor,
for R.1 and R.2
Mr.K.P.Sanjeev Kumar, for
M/s.OJAS Law Firm,
for R.14

ORDER

The petitioner has come up with the present writ petition for a mandamus, directing the respondents 1 and 2 to consider the petition dated 29.10.2015 filed by them for police protection on 09.11.2015 or any other subsequent dates for the petitioner and provide sufficient police protection to the petitioner and to its officials to enter into the area encircled within the compound of Inno Geo City, Vilagam Village, Walajabad Taluk, Kancheepuram District, for inspecting the houses constructed in Sector No.1 to note down the measurement of each houses, materials used thereon, such as wood, flooring, electrical fittings and any other amenities provided in the row of houses constructed therein and handed over by the 14th respondent to the owners including the respondents 4 to 13 for the purpose of fixation of property tax in respect of the aforesaid houses by the petitioner.

2. Today, when the matter was taken up for consideration, learned counsel appearing for the 14th respondent has filed a counter stating that Oragadam City Developers (P) Ltd., is insisting the President, Kattavakkam Panchayat to assess the property tax to be paid by the customers occupied in the housing units and the customers are very much ready to pay the taxes. But, it is the President, Kattavakkam Panchayat, who is not cooperating and refusing to assess the taxes for the reasons best known to them and all the required documents were submitted to the petitioner for the assessment of the tax. The petitioner has not cooperated with the 14th respondent to fix the property tax in spite of several requests and demand from the respondents 3 to 14. In fact, the 14th respondent voluntarily sent their consent and welcomed the petitioner to

inspect their property and fix the property tax. It is the petitioner who is adamant and refused to receive the tax from the respondents 4 to 13. Thus, the learned counsel appearing for the 14th respondent submitted that the respondents 4 to 14 are ready to cooperate with the petitioner to assess the property tax in respect of the houses occupied by the respondents 4 to 13. Therefore, there is no need to give any police protection.

3. In view of the said undertaking given by the 14th respondent, I am of the opinion, there is no need for this Court to traverse the other averments made in the writ petition.

4. Recording the said undertaking given by the 14th respondent, the writ petition is closed. However, liberty is given to the petitioner to approach this Court, if they are facing any problem while visiting the property for assessing the property tax. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

sbi

To

- 1.The Superintendent of Police,
Kancheepuram District,
Kancheepuram.
- 2.The Inspector of Police,
B.5, Walajabad Police Station,
Walajabad, Kancheepuram District.
- 3.The Block Development Officer,
(Village Panchayat),
Walajabad Panchayat Union,
Walajabad, Kancheepuram District.

+lcc to Mr.M/s. Ojas Law Firm, Advocate, S.R.No.66188
+lcc to M/s. P. Mani, Advocate, S.R.No.65874

AK(CO)
EU(22/12/2015)

W.P.No.37169 of 2015