

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.08.2015

CORAM

THE HONOURABLE MR. JUSTICE N.KIRUBAKARAN

W.P.No.5472 of 2015

and

M.P.No.1 of 2015

M/s.Ramani Hotels Limited,
Ramee Mall
rep. by its General Manager,
Sureshkumar Thalappilly,
No.365, Anna Salai,
Teynampet,
Chennai-600 018.

... Petitioner

Vs

1. The Commissioner,
Corporation of Chennai,
Rippon Building,
Chennai.

2. The Assistant Revenue Officer,
Revenue Department,
Zone Office IX,
Corporation of Chennai,
Nungambakkam,
Chennai.

... Respondents

Writ Petition filed to issue a Writ of Mandamus, directing the 1st respondent to dispose of the appeals filed by the petitioner dated 10.02.2015 for the property situated at No.365, Anna Salai, Teynampet, Chennai-18.

For Petitioner : Mr.A.Sundaravadhanam

For 1st Respondent : Mr.P.V.Selvakumar

For 2nd respondent : Mrs.M.E.Raniselvam

O R D E R

The petitioner company is owning a hotel and also got Shopping Mall at No.365, Anna Salai, Teynampet, Chennai-18. Most of the area is not occupied and therefore, property tax cannot be levied for that particular area. However, mechanically, the Corporation imposed property tax and therefore, the petitioner has given a representation to the 1st respondent under Section 105 of the Chennai City Municipal Corporation Act, 1919 seeking vacancy remission for the non-occupied area. The said petition was given on 02.04.2014 and again review petition on 10.02.2015. In spite of that, the 2nd respondent is taking steps to recover the money by issuance of proceedings dated 16.12.2014, especially, when the appeal is pending before the 1st respondent.

2. In view of the above, the 1st respondent is directed to dispose of the petitioner's appeal dated 02.04.2014 and further review dated 10.02.2015, within a period of eight weeks from the date of receipt of a copy of this Order after giving opportunity to the petitioner and till such time, since the major portion of the amount which was demanded by proceedings 16.12.2014 has paid by the petitioner, the 2nd respondent shall not insist upon the payment of balance amount till the disposal of the appeal.

3. With the above observation, the Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is also closed.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

सत्यमेव जयते

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To

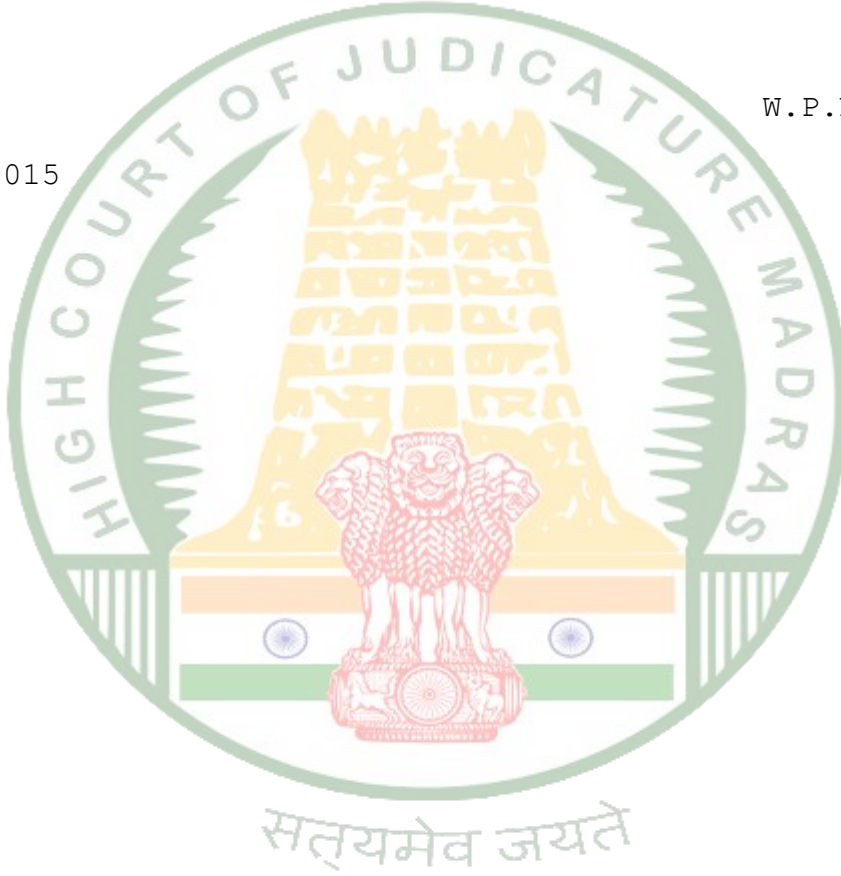
1. The Commissioner,
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Rippon Building,
Chennai.

2. The Assistant Revenue Officer,
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Zone Office IX,
Corporation of Chennai,
Nungambakkam,
Chennai.

+1cc to Mr.Maniveerasamy, Advocate (SR.41251)
+1cc to Mr.P.V.Selvakumar, Advocate (SR.41367)

UG (co)
cp 24.08.2015

W.P.No.5472 of 2015



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