

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.28379 of 2013

And

M.P.No.1 of 2013

Mr.Fusaram Raj Purohit

... Petitioner

Vs.

1.Corporation of Chennai
Represented by its Commissioner
Ripon Buildings, Poonamalle High Road,
Chennai.

2.The Revenue Officer, Zone - IV
Corporation of Chennai, Zonal Office - 4
No.266, T.H.Road, Tondiarpet,
Chennai - 600 021.

.... Respondents

Prayer:

Petition filed under section 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to assess the petitioner's land and building comprised in Plot No.75, situated at 4th Cross Road, M.K.B. Nagar, Chennai 600 039 to property tax.

For Petitioner : Mr.S.Prabhakar

for M/s.J.Suresh

For Respondents: Mr.B.B.Senthil Kumar

सत्यमेव जयते
O R D E R

Heard both sides. The petitioner has filed this writ petition seeking issuance of Mandamus directing the respondents to assess the petitioner's land and building comprised in Plot No.75, situated at 4th Cross Road, M.K.B. Nagar, Chennai 600 039 to property tax.

2.Earlier, action was taken by the respondent Corporation against the property in question since it was constructed in deviation of the sanctioned plan and lock and seal notice was affixed. Subsequently, the petitioner challenged the same by filing writ petition which is said to have dismissed for default.

3.The respondent Corporation submitted that if the petitioner submits a revised plan, the same will be considered and appropriate action will be taken in accordance with law. Thereafter, if the revised plan was approved, steps would be taken to assess the property and taxed.

4.Since the earlier writ petition has been dismissed for default, necessarily the petitioner has to submit revised plan. Accordingly, there will be a direction upon the petitioner to submit a revised plan within a period of three weeks from the date of receipt of a copy of this order. On receipt of the same, the respondent Corporation is directed to consider the revised plan within a period of three weeks from the date of receipt of the revised plan and pass orders on merits and in accordance with the relevant rules and regulations. Thereafter, if the revised plan is approved, the respondent shall proceed to assess the property in question for tax.

5.The writ petition is disposed of with the above directions. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

- 1.Corporation of Chennai
Represented by its Commissioner
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Chennai.
- 2.The Revenue Officer, Zone - IV
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+ 1 cc to Mr.B.B. Senthilkumar, Advocate sr.8547

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LRS (CO)
EU 02.03.15