



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 10.12.2015
CORAM:

THE HONOURABLE Mr.JUSTICE K.RAVICHANDRABAABU

WEB COPY

W.P. (MD) Nos.10320 of 2014 and 6112 of 2015
and
M.P. (MD) Nos.1,2 and 4 of 2014 and 1 to 4 of 2015

W.P. (MD) No.10320 of 2014:

The India Cements Limited,
Rep.by General Manager Legal,
Coromandel Towers,
93, Santhome High Road, RA Puram,
Chennai 600 028.

... Petitioner

Vs.

1.The Secretary Municipal Administration and Water Supply,
Government of Tamil Nadu,
Fort St.George,
Chennai 600 005.

2.The Secretary Housing Urban Development,
Government of Tamil Nadu,
Fort St.George, Chennai 600 005.

3.The Director of Town and Country Planning,
807, Anna Salai, Chennai 600 002.

4.The Directorate of Town Panchayats,
Kuralagam, Chennai 600 108.

5.The District Collector,
Tirunelveli District.

6.The Executive Officer,
Sankarnagar Special Grade Town Panchayat,
Tirunelveli.

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of certiorari, calling for the records of the 6th respondent bearing reference No.Na.Ka.No.78/2013, dated 29.04.2014 and the consequential demands contained therein and set aside the same as being arbitrary, without jurisdiction and contrary to law.

W.P. (MD) No.6112 of 2015:

The India Cements Limited,
Rep.by General Manager Legal,
93, Santhome High Road, Coromandel Towers,
RA Puram, Chennai 600 028.

... Petitioner

Vs.

1.The Secretary Municipal Administration and Water Supply,
Government of Tamil Nadu,
Fort St.George, Chennai 600 005.



2.The Secretary Housing Urban Development,
Government of Tamil Nadu,
Fort St.George, Chennai 600 005.

3.The Director of Town and Country Planning,
807, Anna Salai, Chennai 600 002.

4.The Directorate of Town Panchayats,
Kuralagam, Chennai 600 108.

5.The District Collector,
Tirunelveli District.

6.The Executive Officer,
Sankarnagar Special Grade Town Panchayat,
Tirunelveli.

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of certiorari, calling for the records of the 6th respondent bearing reference No.Roc.No.78/2013/A1, dated 16.06.2014 in so far as the determination with respect to the levy of property tax is concerned and the consequential demands including the notice, bearing Na.Ka.No.30/2015 dated 10.02.2015 issued by the 6th respondent and set aside the same as being arbitrary, without jurisdiction and contrary to law.

For Petitioner	: Mr.Rahul Balaji
For Respondents	: Mr.K.Chellapandian, AAG assisted by Mr.S.Bharathi for R6 Mr.N.S.Karthikeyan, AGP for R1 to 5

COMMON ORDER

After filing these Writ petitions, this Court while passing an interim order directed the parties to resolve their dispute by having negotiation.

2.Today when these matter are taken up for further hearing, Mr.Rahul Balaji learned counsel appearing for the Writ petitioners in both the Writ petitions and Mr.K.Chellapandian, learned Additional Advocate General appearing for the respondents submitted that on 27.07.2015 and 02.09.2015, two meetings were held and parties have resolved their dispute and arrived at the liability, which has been reduced into writing as minutes of the meeting, signed by all the parties. Therefore, it is contended by the learned Additional Advocate General appearing for the respondents that the Writ petitions may be disposed of in view of the settlement arrived at between the parties.

3.Though the learned counsel appearing for the petitioner conceded to the above said fact, however, has submitted that some calculation mistakes are there in respect to the quantum property tax arrived to the power plant and therefore, the petitioner may be given liberty to make a representation before the respondents seeking for consideration of rectifying such mistake.



4.As these Writ petitions are disposed of in view of the understanding arrived at between the parties on 27.07.2015 and 02.09.2015 as stated supra, it is open to the petitioner to approach the respondents and make representation ventilating the so called calculation mistake, as submitted by the learned counsel for the petitioner. If there is any genuine mistake in the calculation, it is open to the respondents to consider the same and pass orders on it accordingly.

5.Needless to say that the petitioner has to make the payment as referred to in the above minutes without loss of any further time, in any event, within a period of 3 weeks from the date of receipt of a copy of this order. No costs. Consequently, connected M.Ps.are closed.

Sd/-
Assistant Registrar CO)

/True copy/

Sub Assistant Registrar

To

- 1.The Secretary Municipal Administration and Water Supply,
Government of Tamil Nadu,
Fort St.George, Chennai 600 009.
- 2.The Secretary Housing Urban Development,
Government of Tamil Nadu,
Fort St.George, Chennai 600 009.
- 3.The Director of Town and Country Planning,
807, Anna Salai, Chennai 600 002.
- 4.The Directorate of Town Panchayats,
Kuralagam, Chennai 600 108.
- 5.The District Collector, Tirunelveli District.
- 6.The Executive Officer,
Sankarnagar Special Grade Town Panchayat,
Tirunelveli.

+1 CC to Mr.Sathish Parasaran, Advocate, SR No.71217

W.P. (MD) Nos.10320 of 2014 and
6112 of 2015
10.12.2015

nbj

SH/GSV-AN:22.12.2015:3P/8C