



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :22.06.2015

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE.R.MAHADEVAN

W.P(MD).No.17587 of 2013

and

M.P. (MD).Nos.1 and 2 of 2013

N.K.Kondalsamy Naidu

... Petitioner

Vs

Madurai Municipal Corporation,
Through its Commissioner,
Madurai.

... Respondent

This Writ Petition has been filed under Article 226 of the Constitution of India praying for a Writ of Certiorarified Mandamus to call for the records of the respondent's impugned order dated Nil issued by the Respondent for attachment and further proceedings regarding the petitioner's property situated at Door Nos.2 and 3, Perumal Kovil, Theppakulam, Madurai Town and quash the same as illegal and consequently direct the Respondent to follow the procedure laid down by law for assessment/reassessment/enhancement of property tax before taking any action against the Petitioner.

For petitioner	: Mr.M.Kannan
For Respondent	: G.PrabuRamachandran

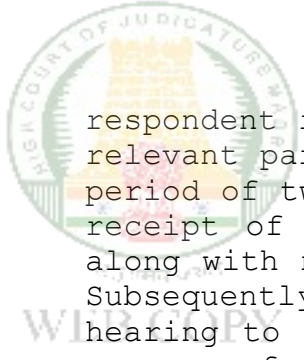
ORDER

The petitioner has come forward with this Writ Petition praying for a Writ of Certiorarified Mandamus to call for the records of the respondent's impugned order dated Nil issued by the Respondent for attachment and further proceedings regarding the petitioner's property situated at Door Nos.2 and 3, Perumal Kovil, Theppakulam, Madurai Town and quash the same as illegal and consequently direct the Respondent to follow the procedure laid down by law for assessment/reassessment/enhancement of property tax before taking any action against the Petitioner.

2. According to the learned counsel appearing for the petitioner that the petitioner has cleared all the admitted arrears of tax. But, the respondent has demanded the excess amount of tax through arrears, for which, neither they have produced the calculation of arrears for having arrived at such amount nor produced working sheet in support of the claim of the respondent.

3. Notice of motion was ordered as early as on 29.10.2013. No counter affidavit is filed on behalf of the respondent so far. The learned Counsel for the respondent was heard.

4. Since the petitioner is ready to pay the arrears of tax provided that the respondent supplies the necessary details for his claim, the order impugned in this Writ Petition stands set aside and the



respondent is directed to provide the calculation of arrears with all the relevant particulars along with working sheet to the petitioner, within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the petitioner shall file his objections, if any, along with necessary documents, within a period of two weeks, thereafter. Subsequently, the respondent is directed to give an opportunity of hearing to the petitioner and pass appropriate orders with regard to the arrears of tax, within a period of four weeks from the date of receipt of objections to be filed by the petitioner, as directed by this Court.

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

Sd/-

The Assistant Registrar(AE)

/True copy/

Sub-Assistant Registrar

To
The Commissioner,
Madurai Municipal Corporation,
Madurai.

+1cc to M/s.M.Kannan, Advocate SR.NO.33486/15

+1cc to M/s.G.Prabu Ramachandran, Advocate SR.No.32483/15

ssm

Sm:AMF:07.07.2015:2P/4C

W.P(MD).No.17587 of 2013
22.06.2015