IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2016

CORAM

THE HON'BLE Mr. JUSTICE R.MAHADEVAN

W.P.No.1141 of 2016

K.A.Gopalakrishnan ... Petitioner

Vs

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

2. The Assistant Commissioner,
Revenue Department,
Zone-8,
Corporation of Chennai ... Respondents

Petition filed under Article 226 of The Constitution of India praying for issuance of Writ of Mandamus to direct the respondents to consider the petitioner's representation dated 6.11.2015 and consequently direct the respondents to accept petitioner's revised property tax from 22.8.2015 onwards .

For Petitioner : Mr. N.Subramani

For Respondents : Mr.L.P.Shanmugasundaram
Standing Counsel (Corporation)

ORDER

The petitioner has filed the present Writ Petition for a direction directing the the respondents to consider the petitioner's representation dated 6.11.2015 and consequently direct the respondents to accept the petitioner's revised property tax commencing from 22.8.2015.

2. Heard Mr.N. Subramani, learned counsel appearing for the petitioner and Mr.L.P.Shanmugasundaram, learned Standing Counsel appearing for the respondent Corporation.

3. According to the petitioner, the petitioner is the owner of the property bearing New Door No.3-B, Old Door No.112-

A, Periyar Pathai, Choolaimedu, Chennai-94. The petitioner has been paying the property for the past 7 years as per the assessment made by the 2nd respondent. While so, the 2nd respondent , on 25.11.2015 issued a revised assessment notice in Ref.No.7, dated 22.8.2015, revising the property tax of the petitioner from Rs.28,443/- to 43,685/-and the same has been levied from II Half Yearly of 2009-2010 and thereby he was directed to pay the arrears of tax of Rs.2,26,589/-.

4. According to the petitioner, though the petitioner is ready to pay the tax from the 2nd half of 2015-2016 period, the respondents are demanding to pay revised tax from the year 2009 onwards, which action of the respondents is arbitrary and illegal.

5. The petitioner has sent a representation to the respondents on 6.11.2015 requesting to waive the property tax revised from 2009-2010 to that of 2nd half of 2015-2016 i.e., the arrears of tax amount of Rs.2,26,589/- and the petitioner is also willing to pay the revised tax amount from 22.8.2015. But the same is kept pending till date without passing any orders. Hence the petitioner is before this court.

6. Learned counsel for the petitioner submitted that it would suffice, if the representation of the petitioner dated 6.11.2015 is considered and necessary orders be passed with regard to the revision of property tax claimed.

7. The learned Standing Counsel appearing for the respondent Corporation has no serious objections for passing such order.

8. Hence, this Court, without going into the merits of the case, directs the 2nd respondent to consider the representation of the petitioner dated 6.11.2015 with regard to the revision of property tax claimed and pass appropriate orders on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order.

9. The Writ petition is disposed of with the above direction. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

msr

To

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

2. The Assistant Commissioner,
   Revenue Department,
   Zone-8,
   Corporation of Chennai.

+1cc to Mr.N.Subramani, Advocate, S.R.No.5305

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SAI(CO)
CA(11/02/2016)