

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.04.2016

CORAM

THE HONOURABLE Mr. JUSTICE M.DURAI SWAMY

W.P.No.13050 of 2016

and WMP Nos.11391 and 11392 of 2016

Rubin Daniel

..... Petitioner

v.

1. The Commissioner,
Chennai Corporation,
Chennai

2. The Assistant Revenue Officer,
Revenue Department,
Zonal Office-IX,
Corporation of Chennai,
No.1. Lake Area 4th cross St.,
Nungambakkam,
Chennai - 600 034

... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the second respondent to return the cheque bearing No.202944 amount of Rs.1,84,412/- dated 31.3.2016 drawn in their favour on Karnataka Bank issued by the petitioner herein to the second respondent and further to direct the respondents to accept the EMI scheme mode of payment to this petitioner.

For Petitioner : Mr.M. Basan

For Respondents : Mr.T.C. Gopalakrishnan
Standing Counsel

ORDER

The petitioner has filed the above writ petition to issue a writ of Mandamus directing the second respondent to return the cheque No. No.202944 for a sum of Rs.1,84,412/- dated 31.3.2016 drawn in their favour on Karnataka Bank and further direct the respondents to accept the said amount in monthly instalments.

2. The learned counsel for the petitioner submitted that the petitioner is unemployed and therefore, he is not in a

position to pay the sum of Rs.1,84,412/- in one stroke and therefore, the petitioner may be permitted to pay the said amount in six monthly instalments.

3. Mr.T.C. Gopalakrishnan, learned Standing Counsel, appearing for the respondents, fairly submitted that the petitioner may be permitted to pay the said amount in six monthly instalments.

4. Having regard to the submissions made by the learned counsel on either side, I permit the petitioner to pay a sum of Rs.1,84,412/- (Rupees one lakh eighty four thousand four hundred twelve only) in six equal monthly instalments, commencing from 11.04.2016. The petitioner shall pay the remaining five instalments on or before 10th of every succeeding month. After the completion of six instalments, the second respondent is directed to return the cheque, issued by the petitioner, for a sum of Rs.1,84,412/-. With these observations, the writ petition is disposed of. No costs. Consequently, connected Mps are closed.

Sd/-

Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

sr

To

1. The Commissioner,
Chennai Corporation,
Chennai

2. The Assistant Revenue Officer,
Revenue Department,
Zonal Office-IX,
Corporation of Chennai,
No.1. Lake Area 4th cross St.,
Nungambakkam,
Chennai - 600 034

2 ccs to Mr.M. Easan, Advocate, Sr. 21884

W.P.No.13050 of 2016

CNR (CO)
kk 7/4