

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE:28.06.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.22019 of 2016 and
WMP.No.18815 of 2016

Shanthinathan @ V.K.Shanthakumari

.. Petitioner

Vs.

The Assistant Revenue Officer,
Revenue Department Zone
Chennai Corporation, Chennai - 600 003.

.. Respondent

Prayer:Petition filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorarified Mandamus calling for the records of the respondent in Final Warrant Notice No.Nil dated 08.06.2016 and quash the same and consequently direct the respondent to allow the petitioner to pay property tax as per earlier order of the property tax as Rs.10,000/- half yearly.

For Petitioner : Mr.P.Ayya Swamy

For Respondent : M/s.Karthika Ashok

ORDER

Heard the learned counsel for the petitioner and M/s.Karthika Ashok, learned Standing Counsel appearing for the respondent and with their consent, the writ petition is taken up for final disposal.

2.The petitioner has filed this Writ Petition challenging the Final Warrant Notice issued by the respondent Corporation demanding arrears of property tax.

3.The case of the petitioner is that without issuing any show cause notice, the impugned order has been passed. Therefore, this Court directed the learned Standing Counsel for the respondent to get instructions in the matter.

4.Today, when the matter is heard, the learned counsel for the respondent produced documents to prove that notice was given by the respondent Corporation and the petitioner has tendered payment of sum of Rs.20,308/- by Cheque No.623385 dated 04.02.2015 being the part of the arrears of property tax. However, the cheque was returned by the bankers on the ground of stoppage of payment by 'Drawer'. Thus, the petitioner is fully aware about the tax liability and therefore, the case as projected by the petitioner cannot be countenanced.

5. Accordingly, the Writ Petition fails and the same is dismissed. No costs. However, it is open to the petitioner to avail the remedies available to him under the provisions of the Chennai City Municipal Corporation Act, 1919. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

To

The Assistant Revenue Officer,
Revenue Department Zone
Chennai Corporation, Chennai - 600 003.

+1 cc to Mr.P.Ayyasamy, Advocate, SR.36074

+1 cc to Mr.A.Karthika Ashok, Advocate, SR.36060.

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