

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.10.2016

CORAM:

THE HON 'BLE MR. JUSTICE T.S.SIVAGNANAM

Writ Petition No.37164 of 2016
& W.M.P.No.31921 of 2016

N.B.Kasthuri

... Petitioner

Versus

1. The Commissioner,
Corporation of Greater Chennai,
Chennai - 600 003
 2. The Chairman (Judicial Officer / District Judge),
Taxation Appeals Tribunal,
Corporation of Greater Chennai,
Chennai - 600 003
- .. Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India, seeking for the issuance of a Writ of Certiorarified Mandamus to call for the records of the order passed by the second respondent in T.A.T.Nos.13 and 14 of 2015, dated 16.08.2016, to quash the same and to direct the first respondent to re-fix the property tax of the petitioner in Flat Nos.F-2 and S-1.

For Petitioner : Mr. R.Subramanian

For Respondents : Mr. T.C.Gopalakrishnan, for R-1

O R D E R

Heard Mr.R.Subramanian, learned counsel for the petitioner and Mr.T.C.Gopalakrishnan, learned Standing Counsel, who accepts notice on behalf of the first respondent. By consent of the learned counsel for both sides, the writ petition itself is taken up for final disposal.

2. The impugned order, in this writ petition, is an order passed by the Taxation Appellate Tribunal, Greater Chennai Corporation / the second respondent herein. As against the impugned order, the petitioner has an effective remedy of an appeal before the learned Principal Judge, City Civil Court, Chennai, and without exhausting the same, the writ petition is not maintainable.

3. Faced with this situation, the learned counsel appearing for the petitioner would submit that some time may be granted to the petitioner to file an appeal before the learned Principal Judge, City Civil Court, Chennai.

4. Accordingly, the writ petition stands disposed of, giving liberty to the petitioner to file an appeal before the learned Principal Judge, City Civil Court, Chennai, and if such an appeal is filed within a period of thirty days from the date of receipt of a copy of this order, the Appellate Court shall entertain the appeal, without reference to the limitation and proceed further in accordance with law. No costs. Consequently, the connected WMP is closed.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

To

1.The Principal Judge, City Civil Court, Chennai.

2. The Commissioner,
Corporation of Greater Chennai,
Chennai - 600 003

3. The Chairman (Judicial Officer / District Judge),
Taxation Appeals Tribunal,
Corporation of Greater Chennai,
Chennai - 600 003

+1 cc to M/s.R.Subramani, advocate,sr.60296

+1 cc to T.C.Gopalakrishnan,advocate,sr.60445.

nr(co)
krd 25/10

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