

**THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN**

**CIVIL REVISION PETITION NO.4997 OF 2015**

**ORDER:**

Despite service of notice neither is the Counsel for the petitioner present nor is there any representation on his behalf. In similar circumstances this Court passed the following order in CRP No.4853 of 2015 dated 20.11.2015:

"The order of the appellate Court directing payment of one half of the enhanced property tax cannot be said to be so patently illegal as to justify exercise of jurisdiction under Section 115 CPC. While no interference is called for in this regard, the appellate Court has erred in not extending the same benefit to the arrears of property tax also, and in directing the petitioner to pay arrears of the enhanced property tax in its entirety. Suffice it if the order of the appellate Court is modified to the limited extent that, instead of paying the entire arrears of the old undisputed property tax, plus half of the arrears of the enhanced property tax, within two months from today. Failure on the part of the petitioner to pay the said amount within the aforesaid period, would automatically result in vacation of the present order; and it shall then be open to the respondent-Municipality to proceed and take action in accordance with law."

There shall be a similar direction in this CRP also. The order of the appellate Court is modified to the limited extent that, instead of paying the entire arrears of enhanced property tax, the petitioner shall pay the entire arrears of the old undisputed tax, plus half of the arrears of the enhanced property tax, within two months from today. Failure on the part of the petitioner to pay the said amount, within the aforesaid period, would automatically result in vacation of the present order; and it shall then be open to the respondent Municipality to proceed and take action in accordance with law. The Civil Revision Petition is disposed of accordingly. The miscellaneous petitions pending, if any, shall also stand dismissed. No costs.

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**RAMESH RANGANATHAN, J**

Date: 07.01.2016.  
MRKR