

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 10.04.2017
CORAM

THE HONOURABLE Mr. JUSTICE K. RAVICHANDRABAABU

W.P.No. 8442 of 2017

G.V.Babu Vandaiyar

...Petitioner

Versus

1. The Commissioner of Corporation,
Greater Chennai Corporation,
Rippon buildings,
Chennai - 600 001.
2. The Assistant Revenue Officer,
Zone-9, Nungambakkam,
Chennai - 600 034.

...Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India, seeking for issuance of a Writ of Mandamus to direct the 2nd respondent not to take any coercive action on the petitioner premises situated at No.99/77, Gowdia Mutt Road, Royapettah, Chennai - 600 014 pursuant to the assessment bearing No.M/09/119/16-17/0600 dated 30.09.2016 till such time, the petitioners appeal/ representation to the 1st respondent dated 10.02.2017 seeking for reassessment is decided by the 1st respondent in accordance with law.

For Petitioner : Mr.P.Vasanth

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

O R D E R

Mr.T.C.Gopalakrishnan, learned Standing Counsel takes notice for the respondent Corporation. By consent of the parties, the main writ petition itself is taken up for final disposal.

2. Heard the learned counsel for the petitioner and the learned Standing Counsel appearing for the respondent Corporation.

3. The petitioner seeks for a direction to the 2nd respondent not to take any coercive action against the petitioner premises situated at No.99/77, Gowdia Mutt Road, Royapettah, Chennai - 600 014, till his appeal/ representation filed before the 1st respondent is disposed of.

4. The grievance of the petitioner is that the 2nd respondent assessed the property tax in respect of the petitioner's premises considering the plot size as 4000 sq.ft. wrongly, while the actual extent is only 2650 sq.ft. Therefore, according to the petitioner, the assessment made based on wrong calculation is erroneous. To ventilate such grievance, the petitioner has made a representation before the 1st respondent on 10.02.2017. Therefore, the petitioner has approached this Court with the present relief as stated supra.

5. This Court, at this stage, is not inclined to express any view on the merits of the claim made by the petitioner, as it is for the 1st respondent to consider and decide. Therefore, this writ petition is disposed of, only with a direction to the 1st respondent to consider the representation of the petitioner dated 10.02.2017 and pass orders on the same on merits and in accordance with law within a period of two weeks from the date of receipt of a copy of this order. After the order is passed by the 1st respondent, it is open to the 2nd respondent to make a fresh demand in accordance with law. No costs.

-s/d-

Assistant Registrar(CSIII)

True Copy

Sub-Assistant Registrar

vsi

To

1. The Commissioner of Corporation,
Greater Chennai Corporation,
Rippon buildings,
Chennai - 600 001.
2. The Assistant Revenue Officer,
Zone-9, Nungambakkam,
Chennai - 600 034.

+1 cc to Mr.P.Vasanth Advocate sr 21394/17

W.P.No. 8442 of 2017

sv(co)

aa25/04/2017