

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.12.2017

CORAM

The Hon'ble Mr.Justice T.S.Sivagnanam

W.P.No.31586 of 2017

and

W.M.P.No.34715 of 2017

1. Mr. P.Anthony
2. Mrs. Lawrence Mary,
Old No. 59, New No.141, Portuguese Church Street,
Seven Wells, Chennai - 1. ... Petitioner

...Vs...

1. The Revenue Officer,
Corporation of Chennai,
Rippon Buildings, Chennai.
2. The Deputy Commissioner (R & F)
Corporation of Chennai,
Rippon Buildings, Chennai.
3. The Assistant Revenue Officer,
Corporation of Chennai,
Zone -V, 61, Basin Bridge Road,
Old Washermenpet, Chennai -21. ... Respondents

Prayer

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records of the impugned letter, dated 02.03.2016, vide R.D.C.No.G1/2207/2014, dated 08.02.2016, and warrant notice, dated 19.07.2017, in vide Se.Ma.A.Va.Tu./Sirapu/2017-18, pertaining to the property, bearing old Door No.59, New No.141, Portuguese Church Street, Seven Wells, Chennai, - 1, Zone and Bill No.05/055/01953/000 and to quash the same and consequently, restraining the respondents from enforcing the same.

For Petitioner	:	Mr.Gijesh Gopal
For Respondents	:	Mrs. Karthikaa Ashok Standing Counsel

O R D E R

Heard Mr.Gijesh Gopal, the learned counsel appearing for the petitioner and Mrs. Karthikaa Ashok, the learned Standing Counsel, accepting notice on behalf of the respondents. With consent on either side, the Writ Petition is taken up for disposal.

2. The dispute in the present Writ Petition, lies in a narrow compass. The petitioner's case is that, inspite of remittance of property tax, the Official Website of the respondent/Corporation shows the petitioner as a defaulter. Added to that, the second respondent has issued distraint proceedings, demanding a sum of Rs.52,301/- as property tax. Subsequently, another demand has been issued to the petitioner, demanding a sum of Rs.92,836/-.

3. Admittedly, the respondent/Corporation has not furnished any details, as to how, the amount has been arrived at. The matter was heard before this Court on several dates, and all the records available with the petitioner were furnished to the learned Standing Counsel for the respondent/Corporation, including the statements of accounts. The learned Standing Counsel for the respondent/Corporation has asked her Officials to verify the records, and on verification, she would submit that, there is an error in DCB maintained by the respondent/Corporation. Mr.V.Murugesan, the Assessing Officer, Zone-V, Corporation of Chennai, who is present in Court states that, he does not know the facts of the case, as he has recently joined the Office.

4. The respondent/Corporation has admitted that error has crept in, while denoting the figures in the entry column of DCB with regard to the payment effected by the petitioner, and the error would be rectified by entering correct figures.

5. For the above reasons, the Writ Petition is allowed, the impugned demand is quashed, the matter is remitted to the third respondent for fresh consideration and the authorized representative of the petitioners is directed to appear before the third respondent and onceagain produce the receipts for payment, and on verification, the third respondent shall make necessary corrections in DCB within a period of three weeks from the date on which, the receipts are produced. No costs. Consequently, connected Writ Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS-)

//True Copy//

Sub Assistant Registrar

sd

To

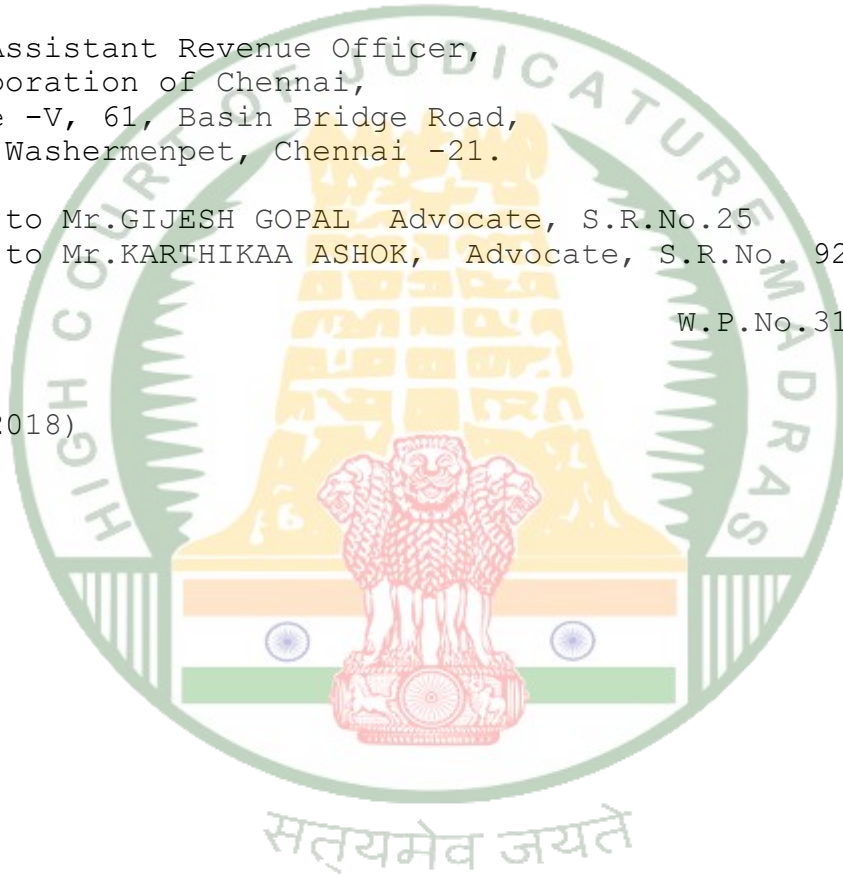
1. The Revenue Officer,
Corporation of Chennai,
Rippon Buildings, Chennai.
2. The Deputy Commissioner (R & F)
Corporation of Chennai,
Rippon Buildings, Chennai.
3. The Assistant Revenue Officer,
Corporation of Chennai,
Zone -V, 61, Basin Bridge Road,
Old Washermenpet, Chennai -21.

+1cc to Mr.GIJESH GOPAL Advocate, S.R.No.25

+1cc to Mr.KARTHIKAA ASHOK, Advocate, S.R.No. 92249

W.P.No.31586 of 2017

SS(CO)
TR(07/02/2018)



WEB COPY