

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.11.2017

CORAM:

THE HONOURABLE MR. JUSTICE S.VAIDYANATHAN

W.P.No.8885 of 2004

India Metres Limited,
rep. by its Managing Director,
No.14, Ambattur Industrial Estate,
Chennai 600 058.

... Petitioner

vs.

Ambattur Municipality,
rep. by its Commissioner,
Ambattur,
Chennai 600 053.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the respondent not to initiate any revenue recovery proceedings pursuant to the non-payment of property tax in respect of their factory premises situated in No.14, Ambattur Industrial Estate, Chennai 600 058 until the respondent gets consent in Case No.52 of 2004 pending before the Board for Industrial and Financial Reconstruction in terms of Section 22 of the Sick Industrial Companies (Special Provisions) Act, 1985.

For Petitioner : Mr.Balan Haridas

For Respondent : Mr.K.Soundarrajan

O R D E R

Today, when the matter is taken up for hearing, learned counsel for the petitioner submitted that after filing of the Writ Petition, the petitioner has paid the entire arrears of tax to the respondent. In this regard, the respondent has also produced a Report before this Court.

2. For better appreciation, relevant portion of the said counter/Report is extracted hereunder :

"9. I respectfully submit that the entire arrears amount of property tax was collected from the petitioner's Company. Moreover, the petitioner M/s.India Meters Limited, who filed Writ Petition No.8885/2004 in the Hon'ble High Court of Judicature at Madras sold out the entire

property to M/s.India Land Properties Ltd., and the whereabouts of the petitioner, C.V.Subramaniam, who was Managing Director of the said Company who filed a Writ Petition is not known and untraceable for asking him to withdraw the Writ Petition and so as to enable this office to delete the pending case list. "

3. In view of the above counter/Report, nothing further survives for consideration in this matter. Accordingly, this Writ Petition is dismissed as having become infructuous. No costs. Consequently, connected W.P.M.P.No.10395 of 2004 is closed.

Sd/-
ASST. REGISTRAR

/TRUE COPY/

SUB ASST. REGISTRAR

aeb

To:
The Commissioner,
Ambattur Municipality,
Ambattur, Chennai 600 053.

+1 cc to MR.BALAN HARIDOSS, Advocate SR.NO. 81108

+1 cc to MR.K.SOUNDARRAJAN, Advocate SR.NO. 80301

Order in
W.P.No.8885 of 2004

SS (CO)
JK 27/11/17

सत्यमेव जयते

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