

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.02.2017

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

W.P.No.17131 of 2003

Tamil Nadu Chamber of Commerce and Industry
a company registered under the
Companies Act, 1913
rep.by its President
S.Rathinavelu
4th floor, No.178-B
Kamarajar Salai
Madurai 625 009

... Petitioner

Vs.

Madurai Municipal Corporation
rep.by its Commissioner
Anna Maligai
Madurai 625 020

... Respondent

Petition filed under Article 226 of The Constitution of India, praying for the issuance of a Writ of Declaration, declaring that the resolution No.MPT6/26177/2000 passed by the Madurai Municipal Council on 25.4.2003, as item No.9 in their emergency meeting deciding to demand non-refundable deposits from the property owners as null and void, arbitrary, without any power, and outside the powers conferred upon the respondent Municipal Council under the provisions of Madurai City Municipal Corporation Act NO.15 of 1971.

For Petitioner ... Mr.R.Aroon Chandran
For Respondent ... Mr.V.Jayaprakash Narayanan,
Spl.Government Pleader

ORDER

Heard the learned counsel for the petitioner and Mr.V.Jayaprakash Narayanan, learned Special Government Pleader for the respondent.

2. It is seen that the issue in this case has been settled by a Division Bench of this Court in Madurai K.K.Nagar Veetu Urimaiyalargal Pothu Nala Sangam through its Secretary Thiru M.Arumuga Ayya vs. Madurai City Municipal Corporation through its Commissioner, Arignar Anna Maligia, Madurai 625 002, 2012

WLR 689, wherein the levy by the Municipal Corporation has been upheld by this Court. This judgment of the Division Bench is binding on this Court.

3. In view of the above, this Writ Petition is dismissed. No costs.

Sd/-
Assistant Registrar

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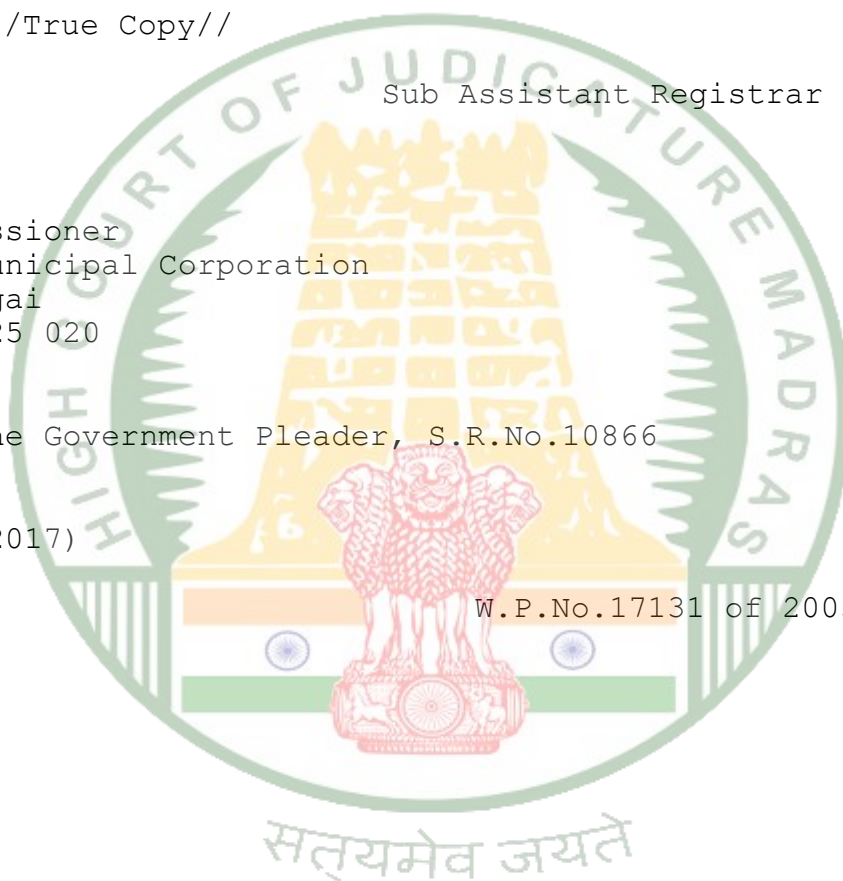
Sub Assistant Registrar

ajr
To
The Commissioner
Madurai Municipal Corporation
Anna Maligai
Madurai 625 020

+lcc to the Government Pleader, S.R.No.10866

lrs (CO)
md(06/03/2017)

W.P.No.17131 of 2003



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