



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.12.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.23063 of 2017

Saraswathi

... Petitioner

-vs-

1. The Commissioner of Corporation,
Aringar Anna Maligai,
Madurai.

2. The Assistant Commissioner of Corporation,
South Zone, Madurai Corporation,
Madurai.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for the issue of a Writ of Mandamus to direct the 2nd respondent to consider the petitioner's representation dated 13.06.2017 given for rectifying the defect crept in assessing Drainage Maintenance Charge in Assessment Nos.404678 and 115550 within the period that may be stipulated by this Honourable Court.

For Petitioner : Mr.R.Gandhi

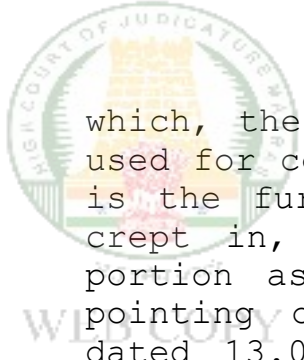
For Respondents : Mr.T.S.Mohamed Mohideen

O R D E R

This writ petition has been filed, seeking a direction to the 2nd respondent to consider the petitioner's representation dated 13.06.2017 given for rectifying the defect crept in assessing the Drainage Maintenance Charge in Assessment Nos.404678 and 115550.

2. Mr.T.S.Mohamed Mohideen, learned Standing Counsel takes notice for the respondents. By consent, the writ petition is taken up for final disposal at the stage of admission itself.

3. The case of the petitioner is that she is in possession of the building in question and rented out two rooms, situated in front of her house for commercial purpose, pursuant to



which, the respondents started assessing the tax for the building used for commercial purpose as well as the residential purpose. It is the further case of the petitioner that there was a mistake crept in, while allotting the assessment number for commercial portion as well as the residential portion. The petitioner, by pointing out the discrepancies, has submitted a representation dated 13.06.2017 to the 2nd respondent for rectification of the defects in assessment. Since the said representation did not evoke any response so far, the petitioner is before this Court with the above prayer.

4. The learned Standing Counsel appearing for the respondents would submit that if a reasonable time is granted to the respondents, the representation of the petitioner will be considered and appropriate orders be passed.

5. Considering the facts and circumstances of the case and also taking into account the limited scope of the relief sought for by the petitioner, this Court, without expressing any opinion on the merits of the matter, directs the second respondent to consider the representation dated 13.06.2017 of the petitioner and pass necessary orders with regard to rectification of defects on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner.

6. With the above direction, this petition is disposed of. No costs.

Sd/-
Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

The Assistant Commissioner of Corporation,
South Zone, Madurai Corporation,
Madurai.

+ 1 cc TO Mr.T.S.Mohamed Mohidheen , Advocate in SR No. 93108

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AE/SV MMS/SAR2/04.01.2018/2P/3C

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