



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.12.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P (MD) No.23742 of 2017

and

W.M.P (MD) No.19937 of 2017

Madurai Mill,
Layan Kudiyirupor Sangam,
Rep. through its President
V.Baskaran

... Petitioner

Vs.

The Madurai Corporation,
Through its Commissioner,
Alargar Kovil Road,
Madurai - 2.

... Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent to consider the representation of the petitioner dated 25.11.2017 in accordance with law and thereby reassess the property tax by treating the houses of the petitioner association as D grade within the time stipulated by this Honble Court.

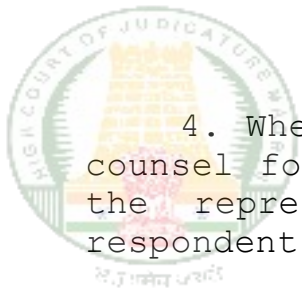
For Petitioner	: Mr.P.R.Prithiviraj
For Respondent	: Mr.R.Prabhu Ramachandran

O R D E R

By consent, this writ petition is taken up for final disposal at the stage of admission itself.

2. Heard the learned Counsel for the petitioner and Mr.R.Prabhu Ramachandran, learned Counsel, who takes notice for the respondent.

3. According to the petitioner-Sangam, they had constructed 176 tiled houses for its employees and the respondent, treating the said houses as 'D grade', has levied property tax for more than 100 years. When the residents of the petitioner-Sangam's association attempted to pay the property tax for the current year, the respondent authority has demanded a huge amount as property tax, by treating the houses as 'B grade'. Aggrieved by this act of the authorities, the petitioner-Sangam has submitted a representation dated 25.11.2017, before the respondent, requesting ~~the respondent to reassess the property tax, by treating the houses as 'D grade' and because of their inaction, the present petition came to be filed.~~



4. When the matter is taken up for hearing today, the learned counsel for the petitioner submitted that it would be suffice, if the representation dated 25.11.2017 is disposed of, by the respondent, as per law, within a stipulated time limit.

5. Considering the facts and circumstances of the case and also the limited scope of the relief sought for, this Court, without going into the merits of the petitioner's claim, directs the respondent to consider the representation of the petitioner-Sangam dated 25.11.2017 and pass appropriate orders, on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner as well as all the other interested parties, if any, within a period of six weeks from the date of receipt of a copy of this order.

6. The writ petition is disposed of as above. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To

The Commissioner,
Madurai Corporation,
Alagar Kovil Road,
Madurai - 2.

+1cc to M/S.R.Prabhu Ramachandran, Advocate SR.No. 94046
+1cc to M/S.P.R.Prithiviraj, Advocate SR.No. 94255

W.P (MD) No.23742 of 2017
21.12.2017

GK
JM/SV MMS/SAR 4/08.01.2018/2P/4C