

HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

WRIT PETITION No.5814 OF 2009

ORDER:

Neither has any counter-affidavit been filed on behalf of the respondent nor is the Learned Standing Counsel present in Court.

Sri K. Ramesh Babu, Learned Counsel for the petitioner states that the provisional assessment notice dated 29.06.2006 was served on the petitioner on 29.08.2006; on the very same day i.e., on 29.08.2006, the power supply was disconnected; and it is only after the petitioner paid 50% of the amount demanded was power supply restored on 30.8.2006. The petitioner claims to have filed his objections to the provisional assessment notice dated 29.6.2006 on 12.09.2006, without considering which a demand notice dated 17.03.2009, is said to have been issued. A copy of the reply to the provisional assessment notice is filed as Ex.P-3 along with the Writ Petition. It also contains the endorsement of the Assistant Divisional Engineer as proof of its receipt.

As the petitioner has submitted his reply to the provisional assessment notice, and as he has already paid 50% of the demand amount, I consider it appropriate to dispose of the Writ Petition directing the respondent not to enforce the demand notice till they consider the petitioner's objections as referred to in the letter dated 12.09.2006, and pass a reasoned order thereupon in accordance with law. The order shall be passed at the earliest, and in any event not later than three months from the date of receipt of a copy of this order.

The Writ Petition stands disposed of accordingly. The miscellaneous petitions pending, if any, shall stand closed. No costs.

RAMESH RANGANATHAN, ACJ

Date: 14.07.2017.
MRKR

