

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 19.03.2018

CORAM

THE HON'BLE MR. JUSTICE M.DURAI SWAMY

W.P.No.6133 of 2018 and
W.M.P.No.7555 of 2018

The Correspondent,
Presentation Convent Matric
Higher Secondary School,
Madukkarai Road,
Tirunithy Nagar, Sidco Post,
Coimbatore - 641 021.

.. Petitioner

Vs.

1.The Commissioner,
Coimbatore Corporation, Coimbatore.

2.The Assistant Commissioner/
Deputy Collector,
Coimbatore Corporation,
Kuniyamuthur, Southern Zone,
Coimbatore - 641 018.

3.The Deputy Revenue Officer,
Coimbatore Corporation,
Southern Zone, Coimbatore - 641 018.

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue Writs of mandamus directing the respondents to consider the representation submitted by the petitioner's School dated 07.02.2018 to exempt the Petitioner School from levy of Property Tax as per Section 123(c) of the Coimbatore City Municipal Corporation Act, 1981.

For Petitioner : Mr.C.Godson Swaminathan
for M/s.ISAAC Chambers
For Respondents : Mr.K.Mahesh,
Standing Counsel (R1 to R3)

O R D E R

By consent, the main Writ Petition itself is taken up for final disposal at the admission stage itself.

2.The petitioner has filed the above Writ Petition to issue writ of mandamus directing the respondents to consider the

representation submitted by the petitioner School dated 07.02.2018 to exempt the petitioner School from levy of Property Tax as per Section 123(c) of the Coimbatore City Municipal Corporation Act, 1981.

3.The learned counsel appearing for the petitioner submitted that the petitioner School is exempted from payment of Property Tax and therefore, they have given a representation dated 07.02.2018, which has not yet been considered by the 2nd respondent.

4.Mr.K.Mahesh, learned Standing Counsel taking notice for the respondents submitted that the petitioner School has not submitted any supportive document to establish that the petitioner comes within the purview of Section 123(c) of the Coimbatore City Municipal Corporation Act and therefore, the petitioner may be directed to submit all the documents before the 2nd respondent and on production of the same, the 2nd respondent may be directed to consider the representation dated 07.02.2018 and pass orders in accordance with law.

5.Having regard to the submissions made by the learned counsel on either side, since the petitioner has not produced the supportive documents before the 2nd respondent, the petitioner shall produce all the supportive documents before the 2nd respondent within two weeks from the date of receipt of a copy of this order. On receipt of the same, the 2nd respondent is directed to consider the petitioner's representation dated 07.02.2018 and also the documents to be produced by the petitioner and pass orders on merits and in accordance with law within a period of six weeks from the date of submission of the documents by the petitioner. Till the order are passed by the 2nd respondent on the representation made by the petitioner, the respondents are directed to maintain status-quo.

6.With these observations, the Writ Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

va

To

1.The Commissioner,
Coimbatore Corporation, Coimbatore.

2.The Assistant Commissioner/
Deputy Collector,
Coimbatore Corporation,
Kuniyamuthur, Southern Zone,
Coimbatore - 641 018.

3.The Deputy Revenue Officer,
Coimbatore Corporation,
Southern Zone, Coimbatore - 641 018.

+1 cc to M/s.Isaac Chambers Advocates sr 21276

+1 cc to Mr.K.Magesh Advocate sr 20761

W.P.No.6133 of 2018 and
W.M.P.No.7555 of 2018

ks(co)
aa27/03



WEB COPY