

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Monday, the Seventeenth day of September Two Thousand Eighteen

PRESENT

THE HON`BLE MR JUSTICE S.M. SUBRAMANIAM

WP No.2928 of 2011

M/S.RAPTAKOS BRETT & CO. LTD, [PETITIONER]
NO.142 (OLD NO.66) VELACHERY MAIN ROAD,
CHENNAI-42.

Vs

1 THE CORPORATION OF CHENNAI, [RESPONDENTS]
REP. BY ITS COMMISSIONER,
RIPPON BUILDING, CHENNAI-03.

2 THE ASSISTANT REVENUE OFFICER,
REVENUE DEPT, CORPORATION OF CHENNAI,
ZONE-IX, CHENNAI-15.

Writ Petitions under Article 226 of the Constitution of India praying that in the circumstances stated therein and in the respective affidavits filed therewith the High Court will be pleased to issue a Writ of Certiorari calling for the records of the 2nd respondent comprised in the order bearing No.Z.O. IX.R.D.C.No.R1/5717/2010 dt.29.11.2010, the Assessment Orders dt.8.11.2010 and 22.11.2010 and the consequent Warrant Notice dt.24.1.2011 bearing and quash the same as being arbitrary, illegal and in violation of law WP.2928/2011

Order : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.RAHUL BALAJI, Advocate for the petitioner and of MRS.KARTHIKA ASHOK, Advocate for the 1 & 2 Respondents the court made the following order:-

The learned counsel for the petitioner states that the property belongs to the writ petitioner had not measured properly and the age of the building and other criterias as per the rules were not considered.

2.The learned counsel for the respondents state that the measurement was done properly. However, this Court is of an opinion that when a dispute has been raised in respect of measurement, it is preferable to measure the property once again and prepare the assessment orders in accordance with law and produce the same.

3. Accordingly, the respondents are directed to measure the premises belongs to the writ petitioner on 19.09.2018 and submit an assessment order in accordance with law and the measurement shall be taken in the presence of the writ petitioner or their authorized representatives. The petitioner also shall co-operate with the respondent Corporation officials for the measurement of the premises.

Post this matter on 25.09.2018 under the caption "for orders".

-sd/-

17/09/2018

/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE COMMISSIONER,
CORPORATION OF CHENNAI,
RIPPON BUILDING, CHENNAI-03.

2 THE ASSISTANT REVENUE OFFICER,
REVENUE DEPT, CORPORATION OF CHENNAI,
ZONE-IX, CHENNAI-15.

C.C. to M/S.SATISH PARASARAN Advocate on payment of necessary charges

सत्यमेव जयते
Order
in

WP.2928/2011

WEB COPY

Date :17/09/2018

From 26.2.2001 the Registry is issuing certified
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RRI 19/09/2018