

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2018

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.25357 of 2014
& M.P.No.1 of 2014

S.Ramajayam

...Petitioner

Versus

1. The Commissioner,
Corporation of Chennai,
Rippon Building,
Chennai - 3.

2. The Assistant Revenue Officer,
Revenue Department,
Zonal Office - VII,
of Chennai,
MTH Road (Opposite to Dunlop),
Ambattur, Chennai - 53.

.. Respondents

Prayers: The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of certiorarified mandamus to call for the records of property assessment No.07-080-7521-00 (COC) passed by 2nd respondent dated 10.09.2014 and quash the same and further direct the 1st respondent to consider the petitioner representation letter dated 11.09.2014 for take appropriate action against the 2nd respondent officials regarding issue of bogus warrant in accordance with law.

For Petitioner : M/s.D.Gopal

For Respondents : Mr.T.C.Gopalakrishnan

O R D E R

The petitioner has come up with the Writ Petition for issuance of of a writ of certiorarified mandamus challenging the property assessment No.07-080-7521-00 (COC) passed by the 2nd respondent dated 10.09.2014 and quash the same and for direction to consider the petitioner's representation dated 11.09.2014.

2. Heard the learned counsel for the petitioner and the learned standing counsel for the respondents and perused the materials available on record.

3. The learned counsel for the petitioner submitted that though the writ petition has been filed to quash the impugned order, the petitioner would be satisfied, if a direction is issued to the 1st respondent to consider his representation dated 11.09.2014.

4. The learned counsel for the respondents submitted that the new assessment provisional notice was issued in the name of the petitioner on 03.10.2013. If the petitioner is aggrieved by the notice, he should have filed appeal before the 1st respondent-Corporation of Chennai within the time frame and the present writ petition is filed only challenging the consequential order of the property tax.

5. The grievance of the petitioner is that his detailed representation was not looked into by the first respondent.

6. Considering the grievance expressed by the petitioner, this Court directs the 1st respondent to consider the representation of the petitioner dated 11.09.2014 and pass orders on merits and in accordance with law after affording an opportunity to the necessary parties. Till then, the proceedings initiated against the petitioner shall be kept in abeyance.

7. With the above observation and direction, the Writ Petition is disposed of. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

सत्यमेव जयते

pvs

To

1. The Commissioner,
Corporation of Chennai,
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Chennai - 3.

2. The Assistant Revenue Officer,
Revenue Department,
Zonal Office - VII, Corporation of Chennai,
MTH Road (Opposite to Dunlop),
Ambattur, Chennai - 53

+ 1 cc to MR. D. Gopal, Advocate Sr.92

+ 1 cc to Mr. T.C. Gopalakrishnan, Advocate SR.32

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PA (CO)

EU (24/01/2018)

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