

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.04.2018

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.Nos.10234 and 10770 of 2013
and

M.P.Nos.1 and 3 of 2013 in W.P.No.10234 of 2013
M.P.Nos.1 of 2013 in W.P.No.10770/2013.

Christian Medical College Vellore Association,
Ida Scudder Road,
Vellore.

...Petitioner
(in both W.Ps)
Versus

1.State of Tamil Nadu
Department of Local Administration,
Represented by its Secretary to Government,
Fort St.George, Chennai.

2.The Commissioner,
Vellore City Municipal Corporation,
Vellore.

3.The President,
Palavansathu Panchayat,
Vellore.

...Respondents
(in both W.Ps)

Writ Petition in W.P.No.10234 of 2013 is filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorarified Mandamus, to call for the records in notice dated 21.02.2013 bearing reference No.W/45/2013/RI issued by the 2nd respondent and quash the same as being illegal and consequently forbear the respondents from levying property tax on the buildings covered under G.O.Ms.No.2270, dated 9.6.1933 and buildings covered under Institution excepting residential quarters.

(Prayer amended as per order of this Court dated 16.4.2013 in MP.No.2 of 2013 in W.P.No.10234 of 2013)

Writ Petition in W.P.No.10770 of 2013 is filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorarified Mandamus, to call for the records in notice dated 21.02.2013 bearing reference No.W/1/45/2013/R2 issued by the 2nd respondent and quash the same as being illegal and consequently forbear the respondents from levying property tax on the buildings covered under G.O.Ms.No.2270, dated 9.6.1933 and

buildings which are part of the educational institution excepting residential quarters.

For Petitioner : Mr.Krishna Srinivas
for Mr.S.Ramasubramaniam
(in both W.Ps)

For Respondents : Mr.V.Shanmuga Sundar
Special Government Pleader,
for R1 & R3
(in both W.Ps)
Mr.S.Silambanan, Senior Counsel
for Ms.P.Shanthi, for R2
(in both W.Ps)

C O M M O N O R D E R

These writ petitions have been filed challenging the levying property tax issued by the second respondent - Municipal Corporation.

2. Heard Mr.Krishna Srinivas, learned counsel for the petitioner, Mr.V.Shanmuga Sundar, learned Special Government Pleader for the respondents 1 and 3 and Mr.S.Silambanan, learned Senior Counsel for the 2nd respondent.

3. The learned counsel for the petitioner as well as the learned Senior Counsel appearing for the second respondent submitted that the issue involved in these writ petitions are squarely covered by the earlier order of this Court in W.P.(MD) No.14508 of 2016 etc., batch, dated 22.11.2017.

4. In view of the above submissions, the petitioner-Association is directed to give a representation to the second respondent, within a period of one month, from the date of receipt of a copy of this order. On such compliance, the second respondent shall consider the same and pass appropriate orders on merits and in accordance with law, within a period of two months there from. Till such time the respondents shall not take any coercive action against the petitioner.

5. With the above direction and observation these writ petitions are disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

s/d-
Assistant Registrar(CS VII)

True Copy

Sub-Assistant Registrar

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To

1.The Secretary to Government,
State of Tamil Nadu
Department of Local Administration,
Fort St.George, Chennai.

2.The Commissioner,
Vellore City Municipal Corporation,
Vellore.

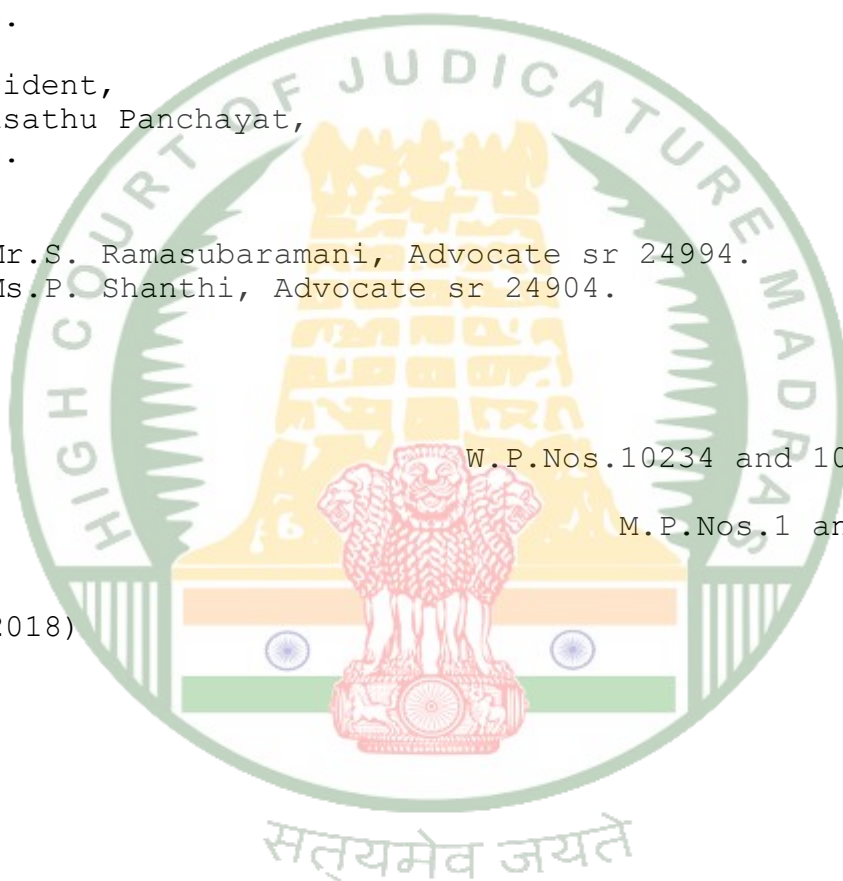
3.The President,
Palavansathu Panchayat,
Vellore.

+1 CC to Mr.S. Ramasubaramani, Advocate sr 24994.

+1 CC to Ms.P. Shanthi, Advocate sr 24904.

W.P.Nos.10234 and 10770 of 2013
and
M.P.Nos.1 and 3 of 2013

SKS (CO)
SP(07/05/2018)



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