

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.09.2018

CORAM

THE HONOURABLE Mr. JUSTICE S.M.SUBRAMANIAM

W.P.No.3805 of 2009

and

M.P.No.1 of 2009

1. Mr.K.Sanjeeva  
2. Dr.Selvakumari ... Petitioners

Vs

1. The Commissioner,  
Alandur Municipality,  
Alandur, Chennai.
2. State of Tamil Nadu,  
Rep.by the Sectary to the Government  
Municipal Administration Department,  
Secretariat, Fort St. George,  
Chennai - 600 009.
3. The Director of Municipal Administration,  
Chepauk, Chennai - 600 005. ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Declaration, declaring that the levy demand and collection of Vacant Site Tax as condition precedent for grant of planning permission / building permit with respect to petitioner property situated in No. 124, Palavanthangal village, Saidapet Taluk, Alandur Municipality, bearing Plot No.7, (Survey No.49/7), as illegal, ultra vires the provisions of the District Municipalities Act and unconstitutional and consequently direct the respondents to process the application and grant planning permission / building permit without insisting upon the payment of Vacant Site Tax.

For Petitioners : Mr.R.Sivaraman

For Respondents : Mr.G.Anantharangan,  
For R1  
Mr.A.Shrijayanthi,  
Special Government Pleader,  
For R2 & R3

O R D E R

The learned counsel for the respondents made a submission that the writ petitioner challenged the demand of property tax, which was made when the land in question was vacant. Subsequently, the property was developed and property tax assessments were made by the Chennai Corporation authorities.

2.The learned counsel for the respondents state that the arrears of property tax to be paid by the writ petitioner is Rs.957/- (Nine Hundred and Fifty Seven only). Thus, the writ petitioner is directed to pay the said amount within a period of four (4) weeks form the date of receipt of a copy of this order.

3.With this direction, the writ petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-  
Assistant Registrar (CS-V)

//True copy//

Sub Assistant Registrar

kak/kmm

To

1. The Commissioner,  
Alandur Municipality,  
Alandur, Chennai.
2. The Sectary to the Government  
Municipal Administration Department,  
Secretariat, Fort St. George,  
Chennai - 600 009.
3. The Director of Municipal Administration,  
Chepauk, Chennai - 600 005.

+1cc to Government Pleader SR.No.64603

W.P.No.3805 of 2009

GMV (23/10/2018)