



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Friday, the Thirtieth day of November Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice T.S.SIVAGNANAM
and
The Hon`ble Mrs.Justice R.THARANI

Review Application (MD) Nos.77 to 84 of 2018
in W.A. (MD) Nos.328 to 335 of 2018
and C.M.P. (MD) Nos.6801 to 6808 of 2018

BHARAT SANCHAR NIGAM LIMITED
REP.THROUGH ITS DEPUTY GENERAL MANAGER,
(CFA & ADMIN),NAGERCOIL,
KANYAKUMARI DISTRICT.

... APPELLANT/ APPELLANT
IN ALL THE PETITIONS

Vs

THE COMMISSIONER
NAGERCOIL MUNICIPALITY,
NAGERCOIL,
KANYAKUMARI DISTRICT.

... RESPONDENT/ RESPONDENT
IN ALL THE PETITIONS

Prayer in REV.APLC(MD). 77/ 2018 :

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to prepare this review petition against the order passed by this Hon`ble Court in W.A.(MD).No.328 of 2018 dated 01/03/2018 on the file of this Hon'ble Court and set aside the same.

Prayer in REV.APLC(MD). 78/ 2018 :

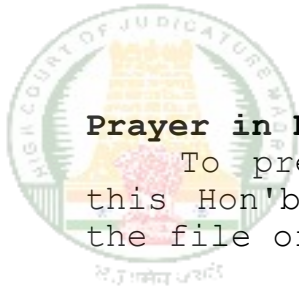
To prepare this review petition against the order passed by this Hon'ble Court in W.A.(MD).No.329 of 2018 dated 01/03/2018 on the file of this Hon'ble Court and set aside the same.

Prayer in REV.APLC(MD). 79/ 2018 :

To prepare this review petition against the order passed by this Hon'ble Court in W.A.(MD).No.330 of 2018 dated 01/03/2018 on the file of this Honble Court and set aside the same.

Prayer in REV.APLC(MD). 80/ 2018 :

To prepare this review petition against the order passed by Hon'ble Court in W.A.(MD).No.332 of 2018 dated 01/03/2018 on the file of this Hon'ble Court and set aside the same.



Prayer in REV.APLC(MD) . 81/ 2018 :

To prepare this review petition against the order passed by this Hon'ble Court in W.A.(MD).No.331 of 2018 dated 01/03/2018 on the file of this Honble Court and set aside the same.

Prayer in REV.APLC(MD) . 82/ 2018 :

To prepare this review petition against the order passed by this Hon'ble Court in W.A.(MD).No.333 of 2018 dated 01/03/2018 on the file of this Honble Court and set aside the same.

Prayer in REV.APLC(MD) . 83/ 2018 :

To prepare this review petition against the order passed by Hon'ble Court in W.A.(MD).No.334 of 2018 dated 01/03/2018 on the file of this Honble Court and set aside the same.

Prayer in REV.APLC(MD) . 84/ 2018 :

To prepare this review petition against the order passed by Hon'ble Court in W.A.(MD).No.335 of 2018 dated 01/03/2018 on the file of this Honble Court and set aside the same.

COMMON PRAYER IN W.A. (MD) Nos.328 to 335 of 2018:

Writ Appeals are filed under Clause 15 of Letters Patent, to set aside the order dated 06.10.2017 made in W.P.(MD) Nos.15966 to 15973 of 2017 on the file of this Court.

Prayer in WP(MD) . 15966/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari to call for the records of the respondents impugned notice for demand of property tax in Assessment No. 150/045/01717-150/74717, from the petitioner for the period from 2002 - 2003- II to 2017-2018 -II for Rs. 1,65,35,183/- M.F.No.25-I-II, Nagercoil Municipality dated 21.07.2017 for the premises No.1, Water Tank Road, Nagarcoil - 629 001, Kanyakumari District, and to quash the same as malafide, contrary to law and against the principles of Natural Justice.

Prayer in WP(MD) . 15967/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari to call for the records of the respondents impugned notice for demand of property tax in Assessment No. 150/045/01718-150/74718, from the petitioner for the period from 2002 - 2003- II to 2017-2018 -II for Rs. 1,23,721/- in M.F.No. 25-I-II, Nagercoil Municipality dated 21.07.2017 for the premises No. 1/1, Water Tank Road, Nagarcoil - 629 001, Kanyakumari District, and to quash the same as malafide, contrary to law and against the principles of Natural Justice.

Prayer in WP(MD) . 15968/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorari to call for the records of the respondents impugned notice for demand of property tax in Assessment No. 150/045/01719-150/74719, from the



petitioner for the period from 2002 - 2003- II to 2017-2018 -II for Rs. 1,23,721/- in M.F.No. 25-I-II, Nagercoil Municipality dated 21.07.2017 for the premises No. 1/2, Water Tank Road, Nagarcoil - 629 001, Kanyakumari District, and to quash the same as malafide, contrary to law and against the principles of Natural Justice.

Prayer in WP(MD). 15969/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari to call for the records of the respondents impugned notice for demand of property tax in Assessment No. 150/045/01720-150/74720, from the petitioner for the period from 2002 - 2003- II to 2017-2018 -II for Rs. 1,23,721/- in M.F.No. 25-I-II, Nagercoil Municipality dated 21.07.2017 for the premises No. 1/3, Water Tank Road, Nagarcoil - 629 001, Kanyakumari District, and to quash the same as malafide, contrary to law and against the principles of Natural Justice.

Prayer in WP(MD). 15970/ 2017 :

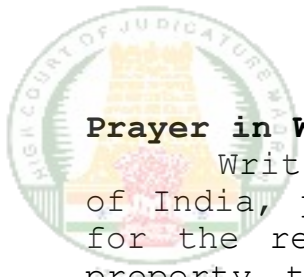
Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari to call for the records of the respondents impugned notice for demand of property tax in Assessment No. 150/045/01721-150/74721, from the petitioner for the period from 2002 - 2003- II to 2017-2018 -II for Rs. 1,23,721/- M.F.No.25-I-II, Nagercoil Municipality dated 21.07.2017 for the premises No.1/4, Water Tank Road, Nagarcoil - 629 001, Kanyakumari District, and to quash the same as malafide, contrary to law and against the principles of Natural Justice.

Prayer in WP(MD). 15971/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari to call for the records of the respondents impugned notice for demand of property tax in Assessment No. 150/045/01722-150/74722, from the petitioner for the period from 2002 - 2003- II to 2017-2018 -II for Rs. 1,23,721/- in M.F.No. 25-I-II, Nagercoil Municipality dated 21.07.2017 for the premises No. 1/1, Water Tank Road, Nagarcoil - 629 001, Kanyakumari District, and to quash the same as malafide, contrary to law and against the principles of Natural Justice.

Prayer in WP(MD). 15972/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari to call for the records of the respondents impugned notice for demand of property tax in Assessment No. 150/045/01723-150/74723, from the petitioner for the period from 2002 - 2003- II to 2017-2018 -II for Rs. 1,23,721/- in M.F.No. 25-I-II, Nagercoil Municipality dated 21.07.2017 for the premises No. 1/6, Water Tank Road, Nagarcoil - 629 001, Kanyakumari District, and to quash the same as malafide, contrary to law and against the principles of Natural Justice and for such other reliefs.



Prayer in WP(MD). 15973/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari to call for the records of the respondents impugned notice for demand of property tax in Assessment No. 150/045/01716-150/74716, from the petitioner for the period from 2007 - 2008- I to 2017-2018 -II for Rs. 25,20,606 /- in M.F.No. 25-I-II, Nagercoil Municipality dated 21.07.2017 for the premises No. 24/A, Court Road, Nagarcoil - 629 001, Kanyakumari District, and to quash the same as malafide, contrary to law and against the principles of Natural Justice.

Prayer in CMP(MD). 6801/ 2018 in REV.APLC(MD). 77/ 2018 :

To pass order to stay all further proceeding in WA.(MD). No.328 of 2018 dated 01/03/2018, pending the disposal of above Review Application.

Prayer in CMP(MD). 6802/ 2018 in REV.APLC(MD). 78/ 2018 :

To pass order to stay all further proceeding in WA.(MD). No.329 of 2018 dated 01/03/2018, pending the disposal of above Review Application.

Prayer in CMP(MD). 6803/ 2018 in REV.APLC(MD). 79/ 2018 :

To pass order to stay all further proceeding in WA.(MD). No.330 of 2018 dated 01/03/2018, pending the disposal of above Review Application.

Prayer in CMP(MD). 6804/ 2018 in REV.APLC(MD). 80/ 2018 :

To pass order to stay all further proceeding in WA.(MD). No.332 of 2018 dated 01/03/2018, pending the disposal of above Review Application.

Prayer in CMP(MD). 6805/ 2018 in REV.APLC(MD). 81/ 2018 :

Pleased to pass order to stay all further proceeding in W.A (MD) No.331 of 2018 dated 01.03.2018, pending the disposal of above Review Application and thus render justice.

Prayer in CMP(MD). 6806/ 2018 in REV.APLC(MD). 82/ 2018 :

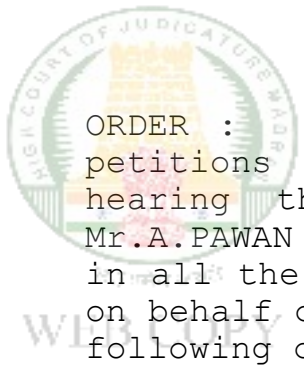
Pleased to pass order to stay all further proceedings in W.A(MD) No.333 of 2018 dated 01.03.2018, pending the disposal of above Review Application and thus render justice.

Prayer in CMP(MD). 6807/ 2018 in REV.APLC(MD). 83/ 2018 :

Pleased to pass order to stay all further proceeding in W.A (MD) No.334 of 2018 dated 01.03.2018 pending the disposal of above Review Application and thus render justice.

Prayer in CMP(MD). 6808/ 2018 in REV.APLC(MD). 84/ 2018 :

Pleased to pass order to stay all further proceeding in W.A.(MD) No.335 of 2018 dated 01.03.2018, pending the disposal of above Review Application and thus render justice.



ORDER : These petitions coming on for orders upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of Mr.R.D.AGARWALA, Senior Counsel for Mr.A.PAWAN KUMAR and Mr.A.HAJAMOHIDEEN, Advocate for the petitioner in all the petitions and of Mr.P.ATHIMOOLAPANDIAN, Standing Counsel on behalf of the Respondent in all the petitions, the court made the following order:-

(Order of the Court was made by **T.S.SIVAGNANAM, J.**)

Heard Mr.R.D.Agarwala, learned Senior Counsel assisted by Mr.Pawan Kumar and Mr.A.Hajamohideen, learned Standing counsel for BSNL/the review petitioner and Mr.P.Athimoolapandian, learned Standing Counsel for the respondent Municipality.

2.It appears that the interim order passed on 12.10.2018 was despatched only on 23.11.2018 and received by the learned counsel for the petitioner on 26.11.2018. Therefore, the petitioner has got four weeks' time from the date of receipt of copy of the order to comply with the conditions imposed therein.

3.The learned Senior Counsel for the review petitioner submitted a paper book containing decisions of the Hon'ble Supreme Court and it is submitted that some more documents have to be filed, which will be filed within two weeks' from today (30.11.2018).

4.The interim protection granted in the earlier order shall continue.

5.At the request of the learned counsel, list the matter on 21.12.2018.

sd/-
30/11/2018

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO
THE COMMISSIONER
NAGERCOIL MUNICIPALITY,
NAGERCOIL, KANYAKUMARI DISTRICT.

+1. C.C. to Mr.A.HAJAMOHIDEEN Advocate SR.No.22556

ORDER IN
Review Application (MD) Nos.77 to 84 of 2018
in W.A. (MD) Nos.328 to 335 of 2018
and C.M.P. (MD) Nos.6801 to 6808 of 2018
Date :30/11/2018