



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.03.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

WP (MD) No.5750 of 2018
and
WMP (MD) No.5629 of 2018

A.Alamelu

... Petitioner

Vs.

1. The Commissioner,
Madurai Corporation,
Madurai.
2. The Assistant Commissioner,
Zone No.4,
Madurai Corporation.

... Respondents

Petition filed under Article 226 Constitution of India to issue a Writ of Certiorari calling for the records relating to the impugned Provisional Demand Notice of the second respondent in Ref.CFC No.115/BO/17-18/0075083 dated 17th February, 2018 and quash the same.

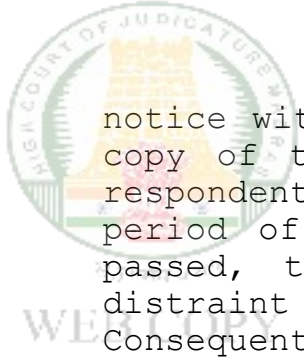
For Petitioner : Mr.D.Srinivasaragavan
For Respondents : Mr.R.Murali

ORDER

This writ petition has been filed challenging the provisional assessment notice issued by the respondent Corporation.

2.The learned counsel appearing for the petitioner submitted that while issuing the provisional assessment notice, the respondent Corporation not considered various aspects of the building in question. Hence, the impugned provisional demand notice is liable to be set aside.

3.The impugned provisional demand notice has been issued directing the petitioner to submit her objections within a period of fifteen days. If at all the petitioner has any objection over the same, she can very well approach the respondents and file her objections. Without doing so, the petitioner cannot maintain the present writ petition before this Court. Hence, this writ petition is dismissed. However, the petitioner is directed to raise her objections before the second respondent for the provisional demand



notice within a period of two weeks from the date of receipt of a copy of this order. If any such objection is filed, the second respondent is directed to pass final assessment order within a period of four weeks thereafter. Till final assessment order is passed, the second respondent is directed not to initiate any distraint proceedings against the petitioner. No costs. Consequently, WMP(MD)No.5629 of 2018 is closed.

Sd/-
Assistant Registrar (Crl.side)

/True Copy/

Sub Assistant Registrar

To

1. The Commissioner,
Madurai Corporation,
Madurai.
2. The Assistant Commissioner,
Zone No.4,
Madurai Corporation.

+ 1 CC TO Mr.D.SRINIVASA RAGHAVAN, ADVOCATE IN SR No. 56343
+ 1 CC TO Mr.R.MURALI, ADVOCATE IN SR No. 56305

MJ

TE/KKR/SAR-4 : 12/04/2018 : 2P/5C

WP (MD)No.5750 of 2018
19.03.2018