



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.03.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition (MD) No.6438 of 2018
and
W.M.P (MD) No.6249 of 2018

R.Swaminathan

... Petitioner

Vs.

The Madurai Corporation,
Rep by its Commissioner,
Madurai 2.

... Respondent

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the Tax assessment number 383705 and the Impugned demand notice bearing No.1967 dated nil pertaining to the petitioners property at 31/1, Mela Ponnagaram Main Road No.1(27-45) in ward WD 013 on the file of the respondent and quash the same as illegal and further directing the respondent to levy tax tariff and charges by classifying the petitioners property at 31/1 Mela Ponnagaram Main Road No.1(27-45) in ward WD 013 Madurai as Non commercial.

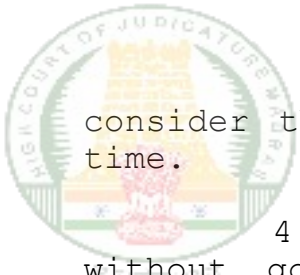
For Petitioner	: Mr.N.Karthik Kanna
For Respondent	: Mr.N.Shanmugaselvam, Standing Counsel

ORDER

This writ petition has been filed challenging the reminder notice issued by the Corporation for payment of property tax.

2.According to the petitioner, he is an Advocate and having office at Door No.31/1, Mela Ponnagaram Main Road, Madurai and paying property tax regularly at the rate of 980/-. Now, all of a sudden, without issuing notice whatsoever to the petitioner, the respondent Corporation has revised the property tax and issued the reminder notice. Pursuant to the same, the petitioner has also submitted his explanation on 06.03.2018.

3.Learned Standing Counsel appearing for the respondent Corporation submitted that since the petitioner has already submitted explanation to the said notice, the respondent will



consider the same and pass appropriate orders within a stipulated time.

4.Considering the facts and circumstances of the case, without going into the merits of the case, the respondent is directed to consider the representation of the petitioner dated 06.03.2018 and pass appropriate orders, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order, after giving opportunity of hearing to the petitioner. Till such time, the respondent is directed not to take any distraint proceedings against the petitioner.

5.With the above direction, the writ petition is disposed of. NO costs. Consequently, W.M.P(MD)No.6249 of 2018 is closed.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

+1CC to Mr.N.Shanmuga Selvam, Advocate, SR.No. 58374

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sms

TE/JC/SAR 4/13.04.2018/2P/2C