

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :16.07.2019

CORAM

THE HON'BLE MR.JUSTICE M.S.RAMESH

W.P.No.12367 of 2011

and

M.P.No.1 of 2011

The Bharat Sanchar Nigam Limited
Coimbatore,
Rep.by its Assistant General Manager,
Office of the Principal General Manager,
Bharat Sanchar Nigam Limited,
No.2, Bharathi Park, Second Street,
Coimbatore - 43.

...Petitioner

Vs.

1.The Secretary to Government,
Municipal Administration and
Water Supply Department,
Secretariat, Chennai.

2.The Commissioner,
Pollachi Municipality,
Pollachi,
Coimbatore District.

...Respondents

Prayer: Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Certiorari calling for the records of the second respondent in Na.Ka.No.1733/2003/A1 dated 20.01.2011 and quash the same.

For Petitioner : Mr.K.R.Ramesh Kumar

For Respondents : Mr.A.Zakir Hussain,
Government Advocate for R1
Mr.G.Shankaran for R2

O R D E R

The demand of property tax for the assessment years 2000 - 2001 to 2010 - 2011, is under challenge in the present writ petition.

2. It is brought to the notice of this Court that, by an order of the Division Bench of this Court dated 21.12.2018, passed in Writ Appeal (MD) Nos.328 to 335 of 2018, as well as in the Review Application (MD) Nos.77 to 84 of 2018, the properties of the Bharat Sanchar Nigam Limited, came to be vested with effect from 19.04.2011 and as such the demand of property tax prior to 19.04.2011 cannot be sustained, since the same is exempted.

3. In view of the same, the present demand of property tax for the period prior to 19.04.2011, requires to be set aside. Accordingly, the writ petition stands allowed and the impugned order dated 14.12.2010, is set aside. However, this order shall be subject to any order passed in Appeal as against the earlier order of the Division Bench dated 21.12.2018.

4. Writ petition stands allowed. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

सत्यमेव जयते

Pns

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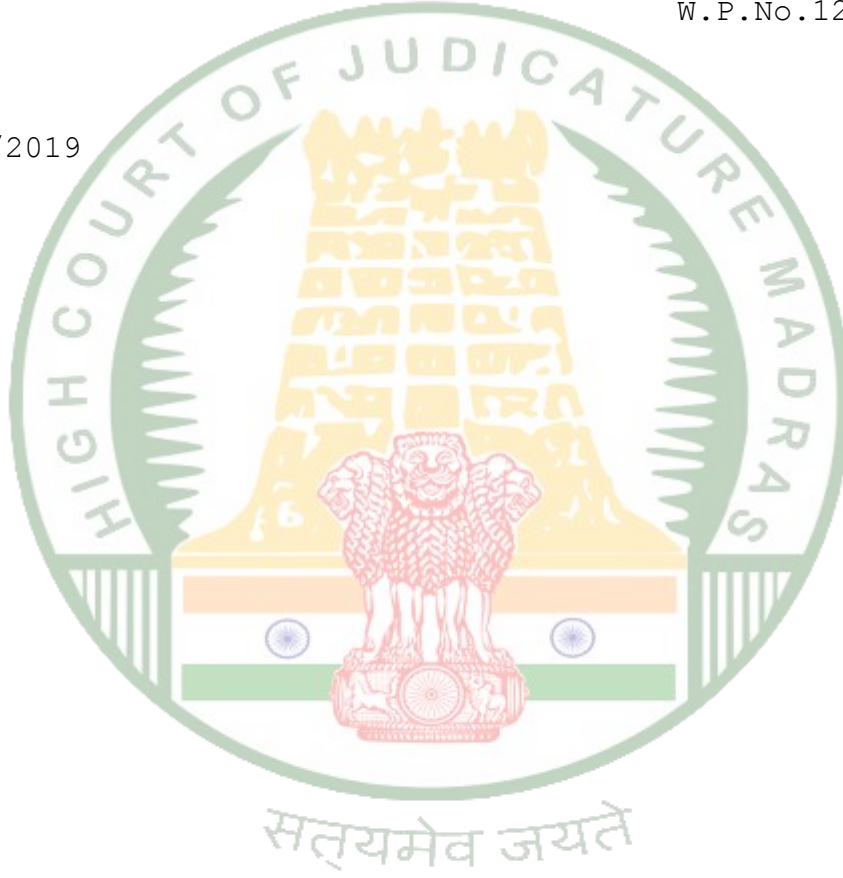
1.The Secretary to Government,
Municipal Administration and
Water Supply Department,
Secretariat, Chennai.

2.The Commissioner,
Pollachi Municipality,
Pollachi,
Coimbatore District.

+1cc to Mr.K.R.Ramesh Kumar, Advocate Sr.60799
+1cc to the Government Pleader Sr.60687

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srg 30/08/2019



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