

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.01.2019

CORAM

THE HON'BLE Mr. JUSTICE S.M.SUBRAMANIAM

W.P.No.30736 of 2004 &
W.P.M.P.No.37228 of 2004

V.Mullaivendan

...Petitioner

Vs

The Commissioner,
Ranipet Municipality,
Ranipet,
Vellore District

...Respondent

PRAYER:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of Certiorari, calling for the records of the proceeding in Na.Ka.No.2923/2000/F1 dated 14.10.2004 on the file of the respondent and to quash the same.

For Petitioner : Mr.S.Thirunavukkarasu

For Respondents: No Appearance

O R D E R

The final notice issued by the respondent in proceeding dated 14.10.2004 is under challenge in the present writ petition.

2. As per the impugned notice, the petitioner was directed to pay the Cable T.V.Tax arrears to Ranipet Municipality to the tune of Rs.17,81,124/- for the period from 01.07.2000 to 31.05.2003.

3. This Court is of an opinion that payment of tax can never be compromised and the authorities competent are bound to recover the tax due to the local authorities. Undoubtedly, the authorities competent have to follow procedures also.

4. In the present case on hand, the impugned notice issued by the respondent in proceeding dated 14.10.2019 is under challenge. On account of efflux of time, this Court is of an opinion that the authorities competent shall conduct an enquiry, in respect of the arrears to be paid by the writ petitioner and accordingly, an order shall be passed. In this regard, the writ petitioner is

also directed to submit his explanations/objections to the respondent along with the documents, if any.

5. In this view of the matter, the petitioner is directed to submit his explanations/objections and the documents, if any, to the respondent within a period of four(4) weeks from the date of the receipt of a copy of this order. On receipt of those explanations/objections of the writ petitioner, if any, the respondent is directed to consider the materials available on record and pass orders on merits and in accordance with law, within a period of eight weeks. Accordingly, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS)

//True Copy//

Sub Assistant Registrar

ska/kkn
To,
The Commissioner,
Ranipet Municipality,
Ranipet,
Vellore District

W.P.No.30736 of 2004 &
W.P.M.P.No.37228 of 2004

A.SK(22/03/2019)

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