

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 24.07.2019

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.32762 of 2004
and
W.M.P.No.39664 of 2004

M/s.Sundaram Medical Foundation
Dr.Rangarajan Memorial Hospital
Shanthi Colony, 4th Avenue
Anna Nagar
Chennai - 600040
Rep. by its Director-Administration
Mr.S.V.Raghavan

...Petitioner

Vs

1. The Special Commissioner &
The Commissioner of Land Reforms
Chepauk, Chennai
2. Special Tahsildar
(Urban Land Tax)
Egmore-Nungambakkam Taluk
Spur Tank Road
Chetpet, Chennai - 600031
3. The Assistant Commissioner
Office of the ULT
409, Periyar E.V.R.Salai
Amingikkarai, Chennai - 600029.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Certiorarified Mandamus, by calling for the records of the first respondent in proceedings under their order No.Rc.No.13029/2002-B2 dated 11.08.2004 and quash the same and thereby forbidding the first and second respondents from collecting the Urban Land Tax based on the order dated 21.10.1994 passed by the third respondent till the disposal of the exemption petition dated 21.08.2002 filed by the petitioner.

For Petitioner : Mr.T.K.Seshadri

For Respondents: Mr.A.Zakir Hussain, GA

O R D E R

The order under challenge in the present writ petition is vacating the interim order of stay granted in revision petition dated 21.08.2000.

2. Today, when the matter was called, the learned Government Advocate submitted that the revision petition is still pending before the Special Commissioner/Commissioner of Land Reforms, Chennai.

3. It is also seen that pending the writ petition from the year 2004 onwards, the interim order has been stayed effectively retrieving the earlier order of stay granted in the exemption petition dated 23.01.2003.

4. In my view, if a direction is given to the Special Commissioner/ Commissioner of Land Reforms, Chennai to dispose of the exemption petition, which is said to be pending till date and also extend the stay, which the petitioner has been enjoying all these years, the ends of justice would be secured.

5. In the light of the above observations, there shall be a direction to the Special Commissioner/Commissioner of Land Reforms, Chennai, to dispose of the exemption petition, filed by the petitioner, within a period of 3 months from the date of receipt of copy of this order. During the course of the proceedings, the Special Commissioner shall extend due opportunity of personal hearing to the petitioner and pass final orders.

6. Accordingly, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

hvk

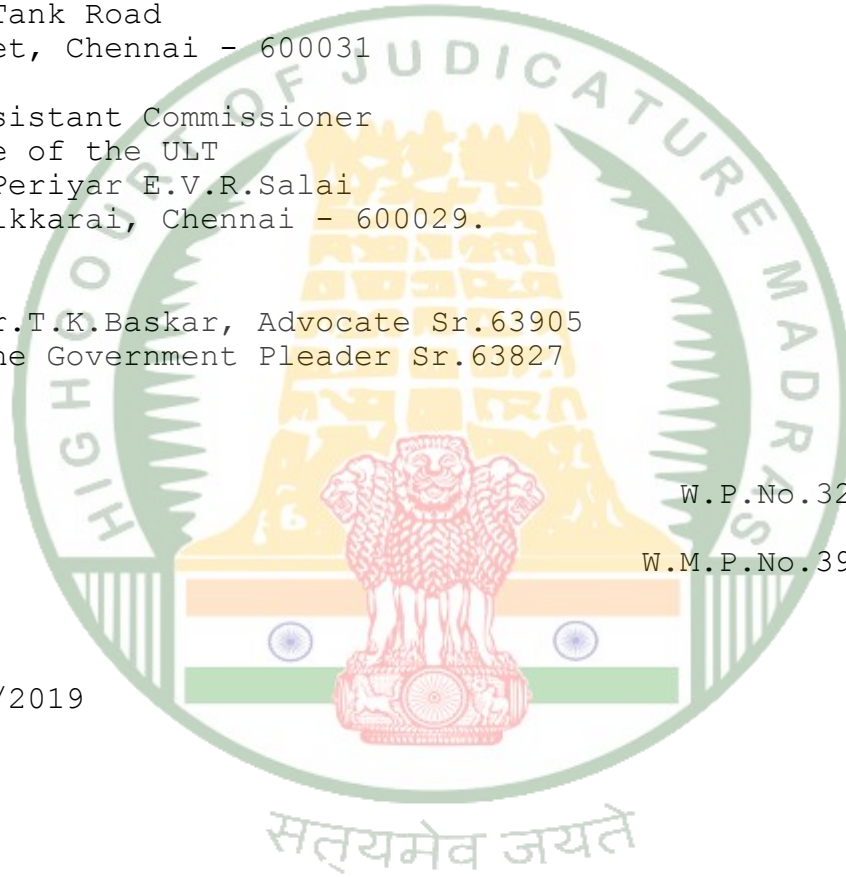
To

1. The Special Commissioner &
The Commissioner of Land Reforms
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2. Special Tahsildar
(Urban Land Tax)
Egmore-Nungambakkam Taluk
Spur Tank Road
Chetpet, Chennai - 600031
3. The Assistant Commissioner
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Amingikkarai, Chennai - 600029.

+1cc to Mr.T.K.Baskar, Advocate Sr.63905
+1cc to the Government Pleader Sr.63827

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srg 28/08/2019



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