

In the High Court of Judicature at Madras

Dated : 28.02.2019

Coram :

The Honourable Dr.Justice ANITA SUMANTH

Writ Petition No.5058 of 2019 &  
WMP.Nos.5762 and 5765 of 2019

1 R.Kaliyaperumal  
S/o.Rajarathinam No.82 Cuddlore Road  
Panruti Cuddalore District.  
..... Petitioner

Vs

1 The Regional Director of  
Municipal Administration Officer Chengalpet  
Kancheepuram District.  
2 The Commissioner  
Panruti Municipality Cuddalore District.  
..... Respondents

PETITION filed under Article 226 of The Constitution of India praying for issuance of Writ of Certiorari calling for the records relevant to the order in Special notice of Property Tax dated 16/08/2016 passed by the 2nd respondent and quash the same illegal improper illegal unreasonable against the natural justice and probabilities of the case.

For Petitioner : Mr.K.Sundarapandian

For Respondents : Mr.Zakkir Hussain, G.A.

ORDER

Mr.Zakkir Hussain, learned Government Advocate has taken notice in this matter and is ready with the instructions today.

2. The short point in the Writ Petition relates to a demand from the second respondent calling upon the petitioner to pay the arrears of property tax computed vide notice dated 16.08.2018 in respect of the property at 82A Krishna, Hospital Road, Panruti. Though no written notice has been received, the petitioner has stated on affidavit at paragraph 5 that the officials of the second respondent visited his place calling

upon him to pay the property tax under threat of coercive action. According to the petitioner his property ad measures 6545 sq.ft. of vacant land, in respect of which half yearly tax would be a sum of Rs.2,173/- only, as against which, the present demand has been raised for a sum of Rs.33,597/-. He has filed his objections before the second respondent on 12.09.2016 pointing out that in respect of the adjacent portion of the property the co-owner is paying only a fraction of amount.

3. In the light of the fact that the petitioner has filed his objections to the demand of property tax, it is only fair that the objections be taken into consideration and orders be passed thereupon. The action of the respondents in calling upon the petitioner to remit the disputed demand even prior to consideration of his objections, is not proper.

4. The petitioner will appear before the second respondent on 08.03.2019 at 2.30 p.m. along with all materials in support of his objections and the second respondent shall pass orders on merits and in accordance law after hearing the petitioner fully and taking into consideration the materials filed by him.

5. The Writ Petition is disposed of in the above terms. Consequently, connected Miscellaneous Petitions are closed. No costs.

Sd/-  
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

- 1 The Regional Director of  
Municipal Administration Officer Chengalpet  
Kancheepuram District.
- 2 The Commissioner  
Panruti Municipality Cuddalore District.

+1cc to Mr.B.Sundarapandiyan, Advocate Sr.18768

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rsy[co]  
srg 4/3/2019