

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.10.2019

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.28766 of 2019

and

WMP.No.28510 of 2019

Mrs.Hemavathi @ Hema Kanniappan
W/o.V.Kanniappan

...Petitioner

vs.

1.The Commissioner
Chennai City Municipal Corporation
Ripon Building
Chennai-600 003.

2.The Revenue Officer (Property Tax)
Chennai City Municipal Corporation
Ripon Building
Chennai-600 003.

3.The Assistant Revenue Officer
Zone 6, Anderson Road,
Chine Chembarambakkam
Ayanavaram, Chennai-600 023.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the 3rd respondent in respect of Bill No.08345, Old Bill No.2930, Assessment No.0606408345 for the premises bearing New No.13, Old No.6, Plot No.7, Shanthi Nagar Main Road, Kolathur, Chennai-600 099 as per 29, Schedule IV Chennai City Municipal Act, 4 of 1990 and quash the same as illegal, unlawful besides ultra vires and consequently, forbearing the respondents from in any manner proceed with sending property demand notice to the petitioner without complying with the procedure contemplated under Schedule IV of the Chennai City Municipal Act 4 of 1990.

For Petitioner : Mrs.C.A.Sharmila
For Respondents : Mr.S.Sathish Kumar
for Mr.T.C.Gopalakrishnan
standing counsel

O R D E R

Mr.T.C.Gopalakrishnan, learned standing counsel takes notice for the respondents. By consent of both the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner is aggrieved against the enhancement of the property tax. According to the petitioner, the enhancement was made without following the due procedure. Ventilating such grievance, the petitioner has already made a representation on 29.03.2019 to the first respondent.

3. The grievance of the petitioner before this Court is that the said representation has not been considered by the respondents so far.

4. Therefore, it is for the first respondent to consider the said representation and pass orders on the same on merits and in accordance with law, as this Court is not expressing any view on the merits of the claim made by the petitioner.

5. Accordingly, this Writ Petition is disposed of, by directing the first respondent to consider the said representation of the petitioner and pass orders on the same on merits and in accordance with law, after affording an opportunity of hearing to the petitioner, within a period of four weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

mk

To

1.The Commissioner
Chennai City Municipal Corporation
Ripon Building
Chennai-600 003.

2.The Revenue Officer (Property Tax)
Chennai City Municipal Corporation
Ripon Building
Chennai-600 003.

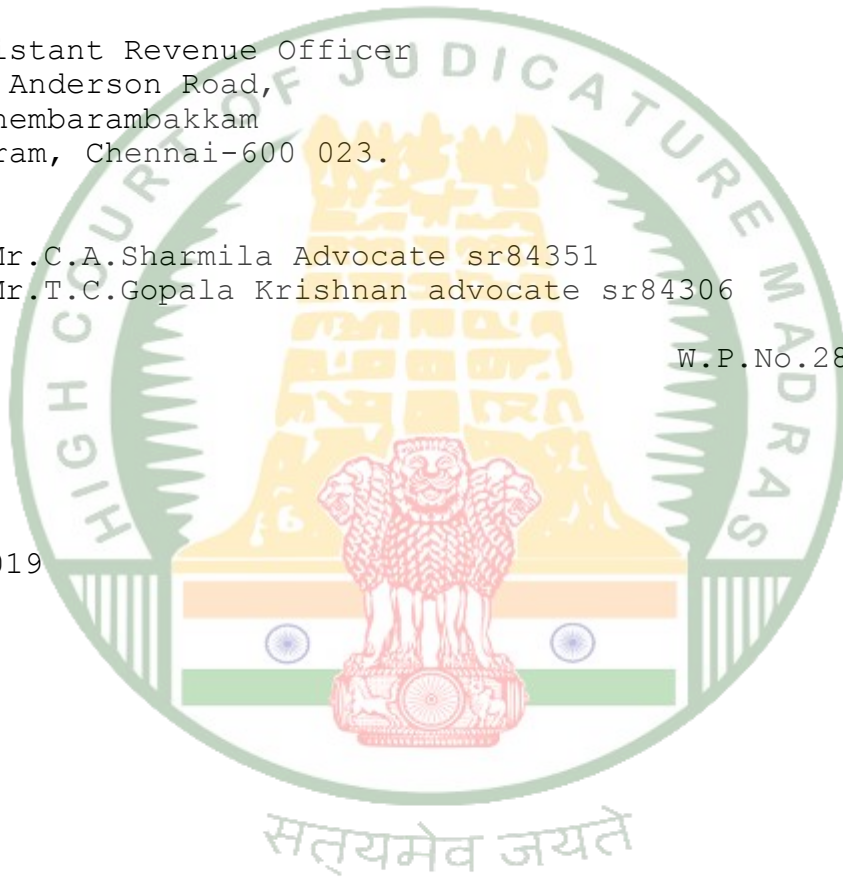
3.The Assistant Revenue Officer
Zone 6, Anderson Road,
Chine Chembarambakkam
Ayanavaram, Chennai-600 023.

+1 cc to Mr.C.A.Sharmila Advocate sr84351

+1 cc to Mr.T.C.Gopala Krishnan advocate sr84306

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