

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.01.2019

CORAM

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.34145 of 2018
and W.M.P.Nos.39675 & 39696 of 2018

Chennai Hotels (India) Private Ltd
Rep by its Director
R. Srinivasan
S/o.D.Ramadas
22, Vallabha Agraharam
Triplicane High Road
Chennai - 600 005.

...Petitioner

Vs

1.The Commissioner,
Greater Chennai Corporation
Ripon Buildings, Sydenhams Road,
Kannappar Thidal,
Periyamet, Chennai - 600 003.

2.The Deputy Commissioner
(Revenue and Finance)
Greater Chennai Corporation
Ripon Building, Sydenhams Road,
Kannappar Thidal,
Periyamet, Chennai - 600 003.

3.The Revenue Officer,
Greater Chennai Corporation
Ripon Building, Sydenhams Road,
Kannappar Thidal,
Periyamet, Chennai - 600 003.

4.The Assistant Revenue Officer,
Zone 9/Revenue Department,
Greater Chennai Corporation
No.1 Lake Avenue 4th Cross Street,
Nungambakkam - 600 034.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records pertaining to the impugned order impugned Notice No.Ma.Aa-9/Va.Thu.Na.Ka. No.R1/DN-114/112/2018 dated 14.11.2018

issued by the 4th respondent and assessment in terms of Notice 7/18-19/118845 dated 01.11.2018 issued by the 1st and 4th respondents and to quash the same.

For Petitioner : Mr.Vinod Paul Tyagaraj David

For Respondents: Mr.T.C.Gopala Krishnan
Standing Counsel for R1 to R4

O R D E R

The petitioner is aggrieved against the provisional assessment notice dated 01.11.2018 and the consequential demand notice dated 14.11.2018.

2. Heard Mr.Vinod Paul Tyagaraj David, learned counsel for the petitioner and Mr.T.C.Gopala Krishnan, learned Standing Counsel for the respondents.

3. Though the petitioner raised very many grounds against the provisional assessment as well as the impugned demand, this Court is not inclined to go into those contentions, at this stage, as it is stated that the petitioner has already filed an appeal on 28.11.2018 against the provisional assessment before the 2nd respondent and the said appeal is still pending.

4. Needless to say that it is for the 2nd respondent to consider the same and pass appropriate orders on merits and in accordance with law. Therefore, this writ petition is disposed of without expressing any view on the merits of the contentions raised by the petitioner, only direction to the 2nd respondent to consider the appeal filed by the petitioner on 28.11.2018 and pass appropriate orders on the same on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. Till an order is passed by the 2nd respondent, the impugned demand shall be kept in abeyance. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

gsi/vsi

To

1.The Commissioner,
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No.1 Lake Avenue 4th Cross Street,
Nungambakkam - 600 034.

+1cc to Mr.T.C.Gopalakrishnan, Advocate Sr.4089
+2cc to Mr.David Tyagaraj, Advocate Sr.4072

सत्यमेव जयते

W.P.No.34145 of 2018

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srg 19/02/2019

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