



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.12.2019

CORAM:

THE HONOURABLE MRS. JUSTICE PUSHPA SATHYANARAYANA

W.P(MD) No.25781 of 2019

and

W.M.P(MD) .No.22314 and 22315 of 2019

M.Mohammed Sait

... Petitioner

Vs.

1.The Assistant Commissioner cum Zonal Officer,
Ariyamangalam Zone,
Tiruchirappalli City Municipal Corporation,
Tiruchirappalli.

2.Tiruchirappalli City Municipal Corporation,
Rep by its Executive Authority,
The Commissioner Promenade Road,
Tiruchirappalli.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records relating to the impugned demand notice passed by the first respondent in Na.Ka.No.A1/8610/2019(Ariya) dated 09.11.2019 and quash the same.

For Petitioner : Mr.N.Sudhagar Nagaraj

For Respondents : Mr.N.S.Karthikeyan

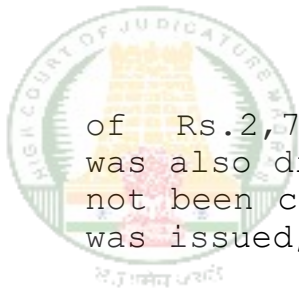
Standing Counsel

ORDER

Heard MrN.Sudhagar Nagaraj, learned counsel appearing for the petitioner and Mr.N.S.Karthikeyan, learned Standing Counsel appearing for the respondents.

2.The petitioner has filed the present writ petition challenging the demand notice dated 09.11.2019 issued by the first respondent in Na.Ka.No.A1/8610/2019(Ariya).

3.Earlier, the petitioner has filed a writ petition in W.P. (MD) No.1206 of 2017 before this Court challenging the earlier Assessment No.2002179. In the said writ petition, on 04.08.2017, this Court had passed an order directing the petitioner to pay a sum



of Rs.2,70,000/- within a period of two weeks and in addition, he was also directed to pay a sum of Rs.64,414/- and the said order has not been complied with. In the mean while, the second demand notice was issued, which is under challenge now.

4. After hearing both the parties, the learned counsel for the petitioner agrees to pay the arrears as on date, which are as follows:

Arrears of Rent	-	Rs.2,42,212/-
Service Tax	-	Rs. 43,581/-
Penalty	-	Rs.1,32,998/-
Total	-	Rs.4,18,791/-

The learned counsel for the petitioner seeks time to pay the aforesaid amount in four instalments.

5. Considering the fact that the petitioner is running a Bamboo Shop and not having much of income, he is not paying the regular rent of Rs.4,563/-. In view of such difficulties expressed by the petitioner, this Court is permitting the petitioner to pay the said arrears in four instalments on or before the following dates:

S.No.	Date	Amount
1 st instalment	03.01.2020	1,00,000/-
2 nd instalment	20.01.2020	1,00,000/-
3 rd instalment	10.02.2020	1,00,000/-
4 th instalment	26.02.2020	1,18,791/-

6. With the above direction, this Writ Petition stands disposed of. No Costs. In the event of default by the petitioner of the above directions, it is open to the respondent to proceed in accordance with law. Consequently, connected miscellaneous petitions are closed.

7. List the Writ Petition on 27th February 2020 '**for reporting compliance**'.

Sd/-

Assistant Registrar ()

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/ /2020

Sub Assistant Registrar(CS)



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Tiruchirappalli.

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W.P (MD) No. 25781 of 2019

and

W.M.P (MD) .No. 22314 and 22315 of 2019

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