

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.03.2020

CORAM :

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P.No.14446 of 2012

and

M.P.No.2 of 2012

M/s.Shree Rajeswari Mills Limited,
'B' Unit, Karaikal - Rep. by
its Whole Time Director,
Illayangudi Road, Thennangudi,
Thirunallar Commune, Thirunallar,
Karaikal - 609 607. ...Petitioner

Vs.

1. The Inspector of Factories,
Karaikal,
Pondicherry Union.
2. Thirunallar Commune Panchayat,
Rep. by its Commissioner,
Thirunallar Commune, Thirunallar,
Pondicherry Union.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus calling for the entire records of the 2nd respondent's Memorandum dt 17.5.2012 made in F. No./TnrCp/A/61/89 and quash the same in so far as it relates to House Tax for a sum of Rs. 7,13,568/- is concerned and consequently forbear the respondents, their officers and subordinates from in any way taking any coercive action against the petitioner Company in furtherance of the Memorandum F. No./TnrCp/A/61/89 dt 17.5.2012.

For Petitioner : Mr.K.A.Ravindran

For Respondents : Mr.N.Sivakumar

O R D E R

The prayer made in this Writ Petition is to issue a Writ of Certiorarified Mandamus calling for the entire records pertaining to Memorandum dated 17.5.2012 issued by the second respondent and quash the same insofar as it relates to payment of House Tax to the tune of Rs.7,13,568/- is concerned and consequently forbear the respondents from taking any coercive action against the petitioner Company in furtherance of the said Memorandum.

2.Today, when the matter was taken up for consideration, the learned counsel for the petitioner submitted that the petitioner company was subsequently declared as sick unit and they have no means for revival. Hence, he confined the relief sought for in this writ petition to the extent of seeking permission to the petitioner to file necessary documents before the authorities concerned, claiming exemption from payment of House Tax.

3.The learned counsel for the respondents has no serious objection in granting such relief to the petitioner.

4.Considering the facts and circumstances of the case and having regard to the submissions now made by the learned counsel on either side, this Court permits the petitioner to file necessary documents to the second respondent within a period of two weeks from the date of receipt of a copy of this order. On such filing, the second respondent shall consider the same and pass appropriate orders, on merits and in accordance with law, after affording due opportunity of personal hearing to the petitioner, within a period of six weeks thereafter.

5.Accordingly, this writ petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mkn

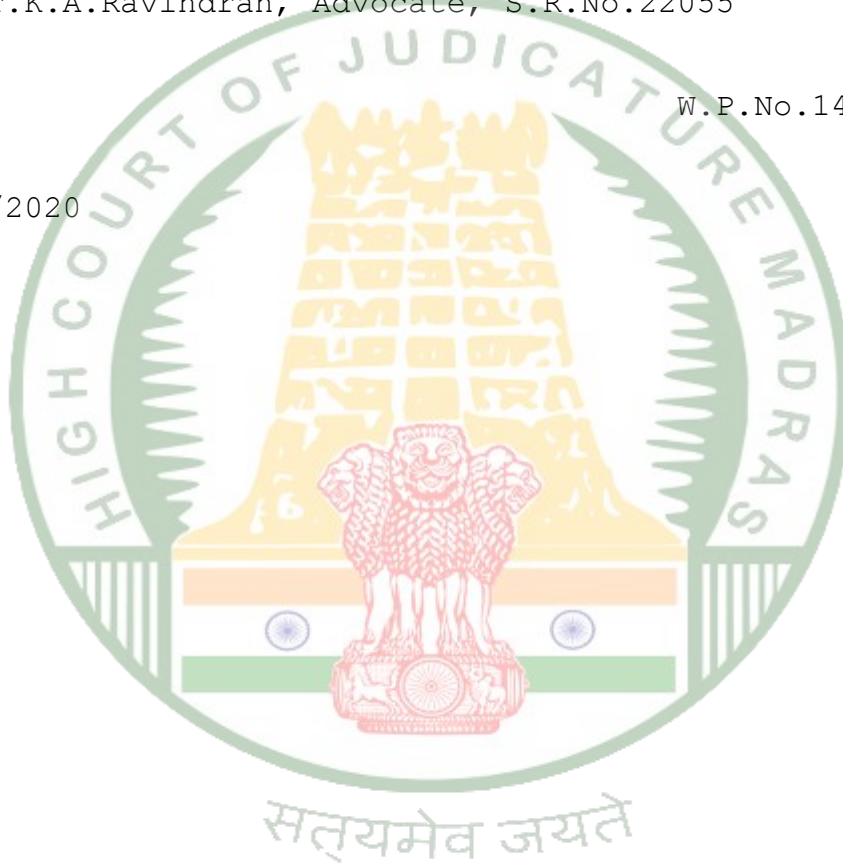
To

1. The Inspector of Factories,
Karaikal,
Pondichery Union.
2. The Commissioner,
Thirunallar Commune Panchayat,
Thirunallar Commune, Thirunallar,
Pondicherry Union.

+1cc to Mr.K.A.Ravindran, Advocate, S.R.No.22055

W.P.No.14446 of 2012

VBA (CO)
KKV/21/05/2020



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