

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.03.2020

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

Writ Petition No.2160 of 2020

Sri Balaji Intercontinental
Rep. by Partner
Mr.Ashok Kumar Muraka

...Petitioner

Vs.

1.The Commissioner,
Corporation of Chennai,
Ribbon Buildings,
Park Town, Chennai - 600 003.

2.The Asst. Revenue Officer,
Corporation of Chennai,
Zone V, Ward 59,
Ribbon Building,
Park Town, Chennai - 600 003.

.... Respondents

PRAYER: PETITION filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus, directing the authorities to dispose of petitioner statutory appeal dated 14.03.2017 as per the order of Court within a specified period.

For Petitioner : Mr.V.Bhiman

For Respondent : Mrs.P.T.Ramadevi,
Standing Counsel.

O R D E R

The short prayer in the Writ Petition is for a Mandamus directing the Authorities to dispose the Statutory Appeal dated 14.03.2017.

2. The petitioner being aggrieved with a demand of property tax had approached this Court by way of a Writ Petition in W.P. No.14579/2016. The aforesaid Writ Petition was disposed on 16.06.2016, permitting the petitioner to file a statutory Appeal as against the impugned proceedings for assessment before the Taxation Appellate Tribunal upon condition that 50% of the enhanced tax be paid. In compliance of the order, the petitioner states that he has remitted 50% of the property tax of a sum of Rs.2,44,393/- on 10.11.2016, and recording the aforesaid fact, filed his objections to appeal against the impugned assessment on 14.03.2017, not styled as an appeal, but more as a representation, the petitioner has produced proof of dispatch of the same. However no acknowledgment of receipt is placed on file.

3. Mrs.P.T.Ramadevi, learned Standing Counsel confirms, on verification of records that the representation/appeal has not been received.

4. Be that as it may, the petitioner has stated in the representation dated 14.03.2017 that the same was being set in compliance of the earlier order of this Court. The concerned Authorities are thus directed to hear the appeal and dispose the same on merits for which purpose, the petitioner is permitted to appear before the 2nd respondent on Monday, the 23rd March of 2020 at 10.30 am along with a copy of the appeal without expecting any further notice in this regard. After hearing the petitioner and considering any/all materials that may be filed by it, orders shall be passed by R2 in accordance with law within a period of four (4) weeks from date of conclusion of personal hearing.

5. This Writ Petition is disposed in the aforesaid terms. No costs.

Sd/-

Assistant Registrar (C.S.VIII)

/True Copy/

Sub Assistant Registrar

To

1.The Commissioner,
Corporation of Chennai,
Ribbon Buildings,
Park Town, Chennai - 600 003.

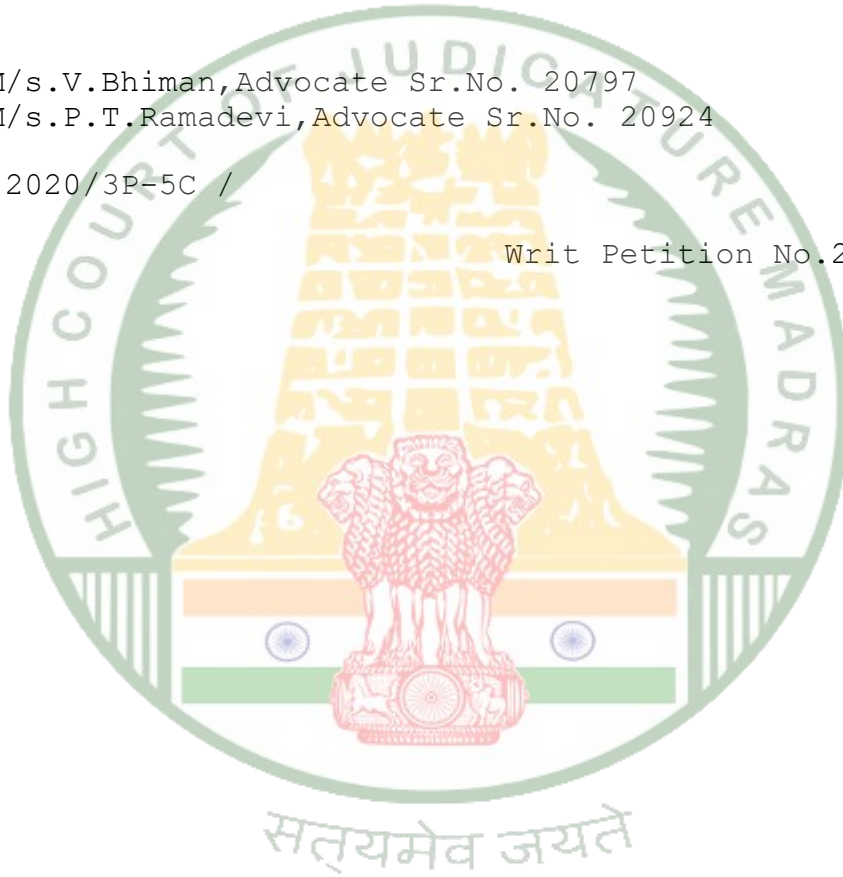
2.The Asst. Revenue Officer,
Corporation of Chennai,
Zone V, Ward 59,
Ribbon Building,
Park Town, Chennai - 600 003.

+1 cc to M/s.V.Bhiman, Advocate Sr.No. 20797

+1 cc to M/s.P.T.Ramadevi, Advocate Sr.No. 20924

AKM/13.03.2020/3P-5C /

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