

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.02.2020

CORAM

THE HONOURABLE Dr. JUSTICE ANITA SUMANTH

W.P.Nos.2212 & 2216 of 2020 and
WMP.Nos.2590 & 2596 of 2020

M/s.Bharatiya Vidya Mandir

Matriculation Higher Secondary School,
Represented by its Correspondent
Senthil Kumar Kalingarayar,
Nallappa Nagar,
Mahalingapuram, Pollachi Town and Taluk,
Coimbatore District. ...Petitioner in WP.No.2212 of 2020

M/s.Shanthi Niketan Matriculation School,

Represented by its Correspondent
G.D.Gopalakrishnan
17/2, Nallappa Street,
Pollachi Town and Taluk,
Coimbatore District. ... Petitioner in WP.No.2216 of 2020

Vs.

1.The Secretary,
Municipal & Water Supply Department,
The Government Secretariat,
Fort St. George,
Chennai-600 009.

2.The Municipal Commissioner,
Pollachi Municipality,
Pollachi Town and Taluk,
Coimbatore District.

3.The Thasildar Pollachi,
Office of the Thasildar Pollachi,
Pollachi Town and Taluk,
Coimbatore District.

4.The Collector,
Coimbatore District,
Coimbatore.

5.The Chairman,
Private Schools Fee Determination Committee,
DPI Campus,
College Road, Chennai-600 006. .. Respondents in both WPs

Prayer in WP.No.2212 of 2020:- Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, to call for the notice and all related records of the 2nd Respondent dated 24.12.2019 bearing Property Tax No.076/007/01586, 076/007/01591 demanding property tax for the school property of the petitioner at Door No.88, 64C, 64A, 64B, 64, 25, Nallappa Nagar, Pollachi and quash the same and consequently forbear the respondents from taking any deterrent or coercive action as against the Petitioner in respect of the School property arising out distraint notice dated 24.01.2020 for attachment of movable property in the aforesaid petitioner school on 28.01.2020 at 5.00 p.m. or subsequently.

Prayer in WP.No.2216 of 2020:- Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, to call for the notice and all related records of the 2nd Respondent dated 18.11.2019 bearing Property Tax No.076/005/00913, 00914, 00915, 00916, 00917, 00918 demanding property tax for the school property of the petitioner at Door No.17/2, 17/2/5, 17/2/4, 17/2/3, 17/2/2, 17/2/1, Bharathi Street, Pollachi and quash the same and consequently forbear the respondents from taking any deterrent or coercive action as against the Petitioner in respect of the School property arising out distraint notice dated 22.01.2020 for attachment of movable property in the aforesaid petitioner school on 28.01.2020 at 11.00 a.m. or subsequently.

(In both WPs)

For Petitioners : Mr.A.Palaniappan

For Respondents : Mr.D.Sathyaraj,
Special Government Pleader
(for R1, R3 and R4)
Mr.B.Anand, Government Advocate
(for R2)

COMMON ORDER

The statutory period for filing of revision is 30 days from date of service of the Special Notice upon the owner or occupier and in the present case, such time has expired. However, Mr.B.Anand, learned Government Advocate for the second

respondent, on instructions, expresses no objection to the revision petition, if filed within the time stipulated as aforesaid, being received and adjudicated upon without any objections raised as to limitation. This is recorded. Thus, in the interest of substantial justice and at request of the petitioners, these writ petitions are dismissed though granting liberty as above. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(C.S.VI)

/True Copy/

Sub Assistant Registrar

To

- 1.The Secretary,
Municipal & Water Supply Department,
The Government Secretariat,
Fort St. George, Chennai-600 009.
- 2.The Municipal Commissioner,
Pollachi Municipality,
Pollachi Town and Taluk,
Coimbatore District.
- 3.The Thasildar Pollachi,
Office of the Thasildar Pollachi,
Pollachi Town and Taluk,
Coimbatore District.
- 4.The Collector,
Coimbatore District, Coimbatore.
- 5.The Chairman,
Private Schools Fee Determination Committee,
DPI Campus, College Road, Chennai-600 006.

+2cc to Mr.A.Palaniappan, Advocate Sr.Nos.8215 & 8216
+1cc to The Government Pleader SR.No.8596

AKM/10.02.2020 /3P-9C/

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