

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 04.11.2020

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.No.14899 of 2020
and WMP.No.18520 of 2020

Evangelical Literature Service,
New No.158, Old NO. 95A,
Vepery High Road, Chennai- 600 007.
Represented by its General Secretary.

..Petitioner

.Vs.

1. The Commissioner,
Greater Chennai Corporation, Ripon Building,
Chennai- 600 003.
2. The Revenue Officer
Greater Chennai Corporation, Ripon Building,
Chennai- 600 003.
3. The Zonal Assistant Revenue,
Officer Greater Chennai Corporation,
Ripon Building, Chennai- 600 003.
4. The American Baptist Foreign Mission Society,
No.127 Pullapuram, Kilpauk,
Chennai- 600 010.

5. Amina Praveen Z.H.

..Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus declaring that the transfer of name of the owner in the assessment records of the Corporation of Chennai from the name of the Petitioner to the name of the 5th respondent in respect of the property Tax Assessment New NO. 05- 058- 07322- 000 is arbitrary, contrary to rules, Violative of the Principles of natural Justice null and void.

For Petitioner :	Mr. Ravikumar Paul Senior Counsel
For R1 to R3 :	Mr. P.T.Ramadevi, Standing Counsel

ORDER

This Writ Petition has been filed for a declaration to declare that the transfer of name of the owner in the assessment records of the Corporation of Chennai from the name of the petitioner to the name of the 5th respondent is arbitrary and opposed to the principles of natural justice.

2. It is seen from the records that the petitioner has already given a detailed representation to the 2nd respondent on 23.12.2019 requesting for the restoration of the property tax assessment for the subject property in the name of the petitioner. The grievance of the petitioner is that inspite of receiving such a representation, the 2nd respondent never acted upon the same and therefore the petitioner had no other alternative except to approach this Court.

3. Heard Mr. Ravikumar Paul, learned senior counsel for the petitioner and Mrs. P.T. Ramadevi, learned Standing Counsel appearing on behalf of the respondents 1 to 3.

4. The dispute that is involved in the present case requires detailed consideration on facts and it will therefore be more appropriate if a direction is given to the 2nd respondent to consider the representation made by the petitioner on 23.12.2019 by affording opportunity to both the parties and in accordance with law.

5. Taking into consideration the facts and circumstances of the case and also of the fact that the representation is already pending before the 2nd respondent, there shall be a direction to the 2nd respondent to consider the representation made by the petitioner on 23.12.2019, by affording opportunity to the petitioner and respondents 4 and 5 and pass appropriate orders strictly in accordance with law within a period of six weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the 2nd respondent along with all the relevant documents and a copy of this order.

6. This Writ Petition is disposed of with the above directions. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS VIII)

//True Copy//

Sub Assistant Registrar

To

1. The Commissioner,
Greater Chennai Corporation, Ripon Building,
Chennai- 600 003.
2. The Revenue Officer
Greater Chennai Corporation, Ripon Building,
Chennai- 600 003.
3. The Zonal Assistant Revenue,
Officer Greater Chennai Corporation,
Ripon Building, Chennai- 600 003.

+1cc to M/s.Paul & Paul, Advocate, Sr.No.35724

+2cc to M/s.P.T.Ramadevi, Advocate, Sr.No.35731 & 35733

WP.No.14899 of 2020
and WMP.No.18520 of 2020

ajs (co)
rr ii (04/12/2020)



WEB COPY