

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2020

CORAM

THE HONOURABLE Dr. JUSTICE ANITA SUMANTH

W.P.No.1599 of 2018

and

WMP.No.2009 of 2018

Rev.Dr.G.Paul Dayanandam  
S/o Rev. Gabriel  
Presbyter/Chairman,  
Loving Shepherd Church,  
No.R1, Welcome Colony,  
Anna Nagar West,  
Chennai - 600 101.

.. Petitioner

Vs.

1.The Senior Account Officer,  
Chennai Metropolitan Water Supply,  
and Sewerage Board,  
Head Office: No.1, Pumping Station Road,  
Chintadripet, Chennai-600 002.

2.The Area Engineer,  
Chennai Metropolitan Water Supply  
and Sewerage Board,  
No.1, T.S.Krishna Nagar,  
Mugappaire,  
Chennai - 600 037.

3.The Zonal Officer, Zone-7,  
Corporation of Chennai,  
Ambattur,  
Chennai.

.. Respondents

(R3 Suo-motu impleaded as per order  
dated 4.12.2019 made in WP.No.1599 of 2018)

Prayer:- Writ Petition filed under Article 226 of the  
Constitution of India, praying for the issuance of a Writ of  
Certiorarified, calling for the records relating to the demand  
notices sent by the respondents dated 10.01.2018, 22.01.2018  
and bearing No.CMWSSB/A-VII B & C/2018 and 0709005870000 and  
quash the same.

For Petitioner : Mr.A.R.Nixon

For Respondents : Mr.N.Ramesh, (for R1 & R2)  
Standing Counsel

ORDER

By order of this Court dated 18.12.2019, extracted below, the property in question, being the property at Door No.21, Welcome Colony, Anna Nagar West, Chennai was directed to be inspected by the Corporation officials.

'By consent, the respondent Authorities will inspect the property in question on 27.12.2019. The petitioner is directed to be present in the premises and offer complete co-operation in the matter of inspection. Let the details of the inspection be furnished to the petitioner in order to enable it to respond.

2. Thereafter, the petitioner will appear before R3 on Monday, the 6<sup>th</sup> of January, 2020 without expecting any notice in this regard and an order of assessment be passed after hearing the petitioner, on or before 20.01.2020.

3. List on 21.01.2020 for production of order as aforesaid.'

2. Today, a report is filed by the Assistant Revenue Officer, Corporation of Chennai dated 04.02.2020, a copy of which is supplied to the petitioner in Court for response.

3. Be that as it may, learned counsel for the respondents point out that the final assessment impugned in this writ petition would have to go, since the same is based on G.O.No.73 of 2018 which has itself been kept in abeyance by virtue of G.O.No.150 of 2019.

4. Recording this fair submission, the impugned order of final assessment in Notice-10 dated 04.02.2020 is set aside. Let an order of assessments denovo be passed by the Assessing Authority taking into account the report of the Assistant Revenue Officer dated 04.02.2020 as well as the objections of the petitioner to be filed and after hearing the petitioner in person.

5. This writ petition is disposed in the aforesaid terms. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

To

1.The Senior Account Officer,  
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and Sewerage Board,  
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Chennai.

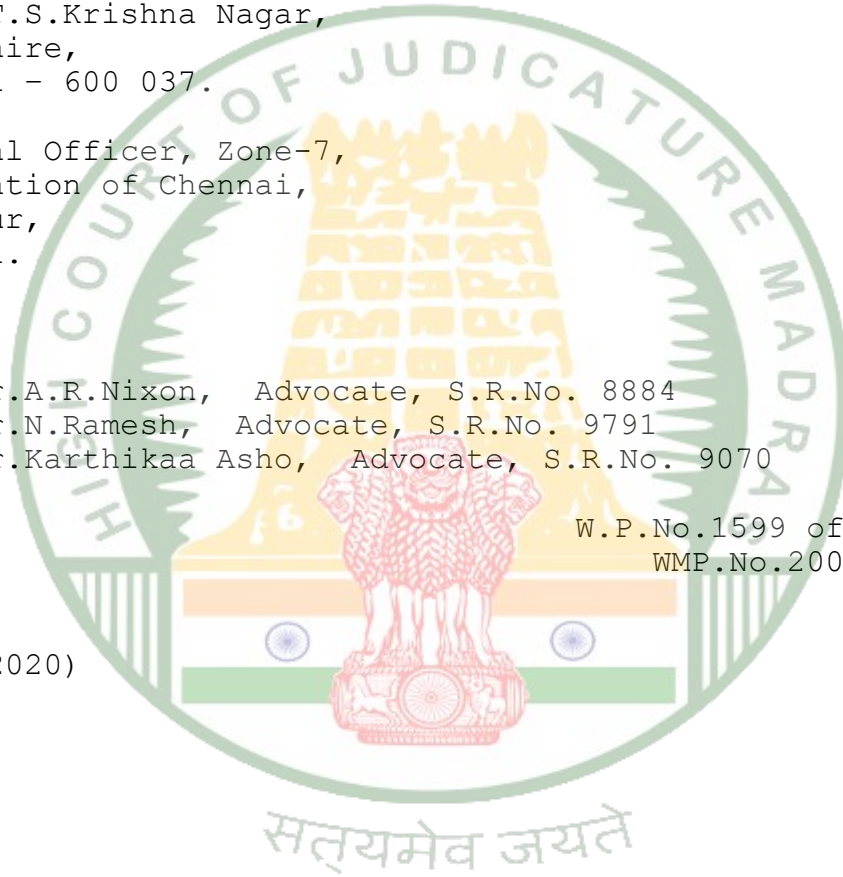
+1cc to Mr.A.R.Nixon, Advocate, S.R.No. 8884

+1cc to Mr.N.Ramesh, Advocate, S.R.No. 9791

+1cc to Mr.Karthikaa Asho, Advocate, S.R.No. 9070

W.P.No.1599 of 2018 and  
WMP.No.2009 of 2018

PM(CO)  
GN(03/03/2020)



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