



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.03.2020

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.NO.40959 OF 2016

AND

WMP.NOS.34928 & 34929 OF 2016 AND 1852 OF 2018

Codissia Intec Technology Centre
Rep.by P.N.Balasubramanian,
President, Codissia trade fair complex,
G.V.Fair Grounds, Avinashi Road,
Coimbatore - 641 014.

... Petitioner

Vs.

1. The Principal Secretary to Government,
Municipal Administration and Water Supply Department,
Secretariat, Fort. St George,
Chennai-600 009.
2. The Commissioner,
Coimbatore City Municipal Corporation,
Coimbatore.
3. The Assistant Commissioner,
East Zone, Coimbatore City Municipal Corporation,
Coimbatore.
4. The Assistant Commissioner (Revenue),
Coimbatore City Municipal Corporation,
Coimbatore.

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records of the third respondent dated 08.10.2016 in assessment No.37316517, 37316518 and quash the same.

For Petitioner : Mr.B.Nedunchezhiyan

For R-1 : Mr.J.Ramesh,
Addl.Government Pleader

For R2 to R4 : Mr.R.Sivakumar



ORDER

Challenging the online notice dated 08.10.2016 issued by the third respondent, demanding the petitioner to pay the revised property tax in respect of their building, the present writ petition came to be filed.

2. According to the petitioner, without making any inspection and measuring the property and without ascertaining the age and location of the building, the third respondent has mechanically revised the property tax and issued the impugned demand notice through online and hence, the same is arbitrary and illegal and is liable to be set aside.

3. However, today, when the matter was taken up for consideration, the learned counsel for the petitioner restricted the relief sought for herein to the extent of seeking a direction to the respondents to consider the representation dated 02.10.2016 said to have been submitted by the petitioner, with regard to the issue involved herein.

4. The learned counsel appearing for the respective respondents have no serious objection in granting such relief to the petitioner.

5. Considering the limited nature of the relief now sought by the learned counsel for the petitioner, which has not been seriously opposed on the side of the respondents, this Court directs the respondent concerned to consider the representation dated 02.10.2016 submitted by the petitioner and issue a fresh demand, on merits and in accordance with law, after providing an opportunity of personal hearing to the petitioner, within a period of two weeks from the date of receipt of a copy of this order.

6. Accordingly, this Writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Principal Secretary to Government,
Municipal Administration and Water Supply Department,
Secretariat, Fort. St George,
Chennai-600 009.

2. The Commissioner,
Coimbatore City Municipal Corporation,
Coimbatore.

3. The Assistant Commissioner,
East Zone, Coimbatore City Municipal Corporation,
Coimbatore.

4. The Assistant Commissioner (Revenue),
Coimbatore City Municipal Corporation,
Coimbatore.

+1cc to Mr.B.Nedunchezhiyan, Advocate, S.R.No.22903

+1cc to Mr.R.Sivakumar, Advocate, S.R.No.22604

+1cc to the Government Pleader, S.R.No.23206

W.P.No.40959 of 2016

and

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VBA(CO)

CS/13/07/2020