



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.09.2020

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.1503 of 2012 and
M.P.(MD)No.1 of 2012

L.R.Harendran

... Petitioner

Vs.

1. The Commissioner,
Madurai Municipal Corporation,
Madurai.

2. The Assistant Commissioner,
South Zone,
Maduria Municipal Corporation,
Madurai.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records relating to the proceedings of the second respondent styled as property payment details dated Nil in respect of assessment No.69349 and quash the same as illegal.

For Petitioner : M/s.Eddy and Embboss
Law Firm.

For Respondents : Mr.R.Murali,
Standing Counsel.

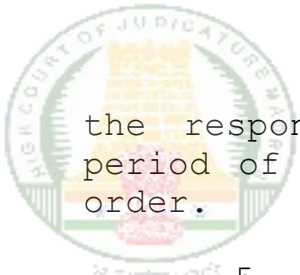
O R D E R

Heard the learned counsel appearing for the petitioner and the learned Standing counsel appearing for the respondents.

2. The petitioner challenges the impugned demand primarily on the ground that the respondents have erred in treating the entire premises as a commercial building. The petitioner states that he is residing in a portion of the building. Therefore, the entire building could not have been treated as a commercial one.

3. I find considerable force in the said submission.

4. The petitioner's counsel states that the petitioner would remit a sum of Rs.50,000/- (Rupees Fifty Thousand only) to



the respondents without prejudice to his contentions within a period of four weeks from the date of receipt of a copy of this order.

5. Since the objection raised by the writ petitioner has not been taken note of, I quash the order impugned in this writ petition and remit the matter to the file of the respondents. The respondents shall make a fresh inspection in the presence of the writ petitioner and pass final orders afresh in accordance with law. The respondents will take note of the contentions raised by the petitioner. This writ petition stands allowed. No costs. Consequently connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CO)

// True Copy //

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Sub Assistant Registrar(CS)

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Note:In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

1. The Commissioner,
Madurai Municipal Corporation, Madurai.

2. The Assistant Commissioner,
South Zone, Madurai Municipal Corporation,
Madurai.

+1 CC to M/s.EDDY & EMBBOSS LAW FIRM, Advocate (SR-16413[F] dated 09/09/2020)

+1 CC to M/s.R. PRABU RAMACHANDRAN, Advocate (SR-16440[F] dated 10/09/2020)

W.P. (MD) No.1503 of 2012
08.09.2020

NS (CO)

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