

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 23.03.2020****CORAM:****THE HONOURABLE MR.JUSTICE P.D.AUDIKESAVALU****Writ Petition (MD).No.5929 of 2020****and****W.M.P. (MD).Nos.5122 and 5126 of 2020**

T.Selvam

... Petitioner

Vs.

The Commissioner,
Colachel Municipality,
Colachel.

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records relates to the notice, issued in e.f.vz.4826/2012/m1, dated 12.03.2020, issued by the respondent and quash the same and direct the respondent to receive the "Thidakkalivu Melanmai Tax" for the building of the petitioner in Door Nos.2-1/1 to 2-1/36 of the Colachel Municipality as a Shopping Complex.

For Petitioner : Mr.J.John Jayakumar

For Respondent : Mr.P.Athimoola Pandian
Standing counsel**O R D E R**

When it is pointed out by the Learned Standing Counsel for the Respondent that the Petitioner has got an effective alternative remedy to challenge the impugned assessment before the Taxation Appeals Committee under Section 23-A of the Tamil Nadu District Municipalities Act, 1920, the Learned Counsel for the Petitioner seeks permission of this Court to withdraw the Writ Petition with liberty to resort to the same and he has made an endorsement to that effect, which is recorded.

2. Learned Counsel for the Petitioner submits that the Petitioner is willing to deposit the entire arrears amount claimed without prejudice to the contentions of the Petitioner. Learned Standing Counsel for the Respondent, on instructions, states that if the entire amount as claimed by the Respondent is remitted, services to the premises will be restored immediately.



3. Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty. Consequently, connected Miscellaneous Petitions are closed. No costs.

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// True Copy //

Sd/-

Assistant Registrar (AD-II)

/ /2020

Sub Assistant Registrar (CS)

To

The Commissioner,
Colachel Municipality,
Colachel.

Copy to:-

The Section Officer,
ER Section,
Madurai Bench of Madras High Court,
Madurai.

(To return the original impugned orde to
the counsel for the petitioner)

+ 1 CC to Mr.J.John Jeyakumar, Advocate SR.No.12864

Writ Petition (MD).No.5929 of 2020

23.03.2020

KS (23/03/2020) 2P 4C