



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.09.2020

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THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No. 15333 of 2019

and

W.M.P. (MD) No. 11908 of 2019

M. Rajathi

... Petitioner

Vs.

1. The Commissioner,
Madurai Municipal Corporation,
Madurai.

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

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pursuant to the Final Demand Notice dated 30.11.2017 issued by the second respondent and quash the same as illegal.

For Petitioner : Mr.R.Vinothkumar

For Respondents: Mr.K.Govindarajan,
Standing Counsel.

O R D E R

Heard the learned counsel on either side.

2. The petitioner challenges the impugned demand notice primarily on the ground that there appears to be some confusion regarding the assessment number. According to the petitioner, her assessment number is 65188. Even according to the learned Standing counsel, the new assessment number is 01140. In the impugned demand notice, the assessment number has been mentioned as 386772. There appears to be some mix-up somewhere.

3. Therefore, I hold that the impugned demand notice is vitiated by non-application of mind. On this sole ground, the demand notice impugned in this writ petition stands quashed.



4. The writ petition stands allowed. The matter is remitted to the file of the respondents to pass orders afresh in accordance with law. The petitioner will be heard before passing orders. If the petitioner is still aggrieved by the same, the petitioner has to move the statutory tribunal thereafter and not once again invoke writ jurisdiction of this Court. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

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Sub Assistant Registrar(CS)

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,
Madurai Municipal Corporation,
Madurai.

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