



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 01.10.2020

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

WP (MD)No.4604 of 2018

and

WMP (MD)No.4683 of 2018

WEB COPY

Dr.Mononmani Rabeendran

... Petitioner

Vs.

The Assistant Commissioner,
Zone - 1, Madurai Corporation,
Madurai.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue Writ of Certiorari, calling for the records relating to the impugned demand notice cum order passed by the respondent dated 19.02.2018 and quash the same as illegal.

For Petitioner : Mr.R.Gandhi

For Respondents : Mr.K.Govindarajan

ORDER

Heard the learned counsel on either side.

2.What is under challenge in this writ petition is the adjudication proceedings initiated by the respondent. The petitioner's grievance is that without putting the petitioner on notice, the impugned proceedings have been straightaway passed. I find considerable force in the submission of the petitioner's counsel. The impugned proceedings stand quashed. If the petitioner made any payment, there is no question of refund. The respondent shall hold a fresh enquiry after putting the petitioner on notice on merits and in accordance with law. If the petitioner is still aggrieved by the same, the writ petitioner will have to avail the alternative statutory remedy and not invoke the writ jurisdiction.



3. With this observation and direction, this writ petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

skm

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
The Assistant Commissioner,
Zone - 1, Madurai Corporation,
Madurai.

+1 CC to Mr.K. GOVINDARAJAN, Advocate (SR-18903[F] dated 05/10/2020)

**WP (MD) No. 4604 of 2018
and
WMP (MD) No. 4683 of 2018
01.10.2020**

SJ(CO)
KM (19.10.2020) 2P 3C