



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.09.2020

CORAM

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No. 10169 of 2018 and

W.M.P. (MD) Nos. 9223 of 2018 & 4432 of 2020

WEB COPY

Rama Veera Bowri Panjanathan Chettiar

... Petitioner

Vs.

1. The Madurai City Municipal Corporation,
Rep. by its Commissioner,
Corporation Buildings,
Arignar Anna Maligai,
Melur Road, Thallakulam,
Madurai -2.

2. The Assistant Commissioner,
Madurai - Zone 4,
Corporation Buildings,
Arignar Anna Maligai,
Melur Road, Thallakulam,
Madurai -2.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records and proceedings relating to the assessment No.65693 dated Nil pertaining to the property bearing door No.32, West Chithirai Street, Madurai, on the file of the second respondent/Assistant Commissioner, Madurai City Municipal Corporation, Madurai - 625 001 and quash the same as illegal.

For Petitioner	:	M/s.P.Y.Asim Begum
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 Corporation.

2. The property in question belongs to the petitioner. According to the petitioner, it is being used only as a residential building. But the assessment has been made as if it is a commercial building.

3. This aspect of the matter has not been dealt with. In fact the petitioner had already given his objections in this regard.



4. The learned Standing counsel points out that the current arrears have crossed more than Rs.4,00,000/-. The petitioner undertakes to pay a sum of Rs.50,000/- towards his liability to the respondent Corporation within a period of four weeks from the date of receipt of a copy of this order.

5. Recording the said undertaking given by the petitioner, the order impugned in this writ petition stands quashed. This writ petition stands allowed. The respondent will pass orders afresh in accordance with law. It is made clear that as against the revised order, the petitioner will move only the statutory tribunal and not once again invoke writ jurisdiction of this Court. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Pmu

To:

1. The Madurai City Municipal Corporation,
Rep. by its Commissioner,
Corporation Buildings, Arignar Anna Maligai,
Melur Road, Thallakulam, Madurai -2.

2. The Assistant Commissioner,
Madurai - Zone 4,
Corporation Buildings,
Arignar Anna Maligai,
Melur Road, Thallakulam, Madurai -2.

+1 CC to M/s.R. MURALI, Advocate (SR-16436[F] dated 10/09/2020)

+1 CC to M/s.P. YASMIN BEGUM, Advocate (SR-16537[F] dated 10/09/2020)

W.P.(MD)No.10169 of 2018
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