



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.09.2020

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.7132 of 2015 and

MP(MD) No.1 and 2 of 2015

WEB COPY

Rajalakshmi Ammal

... Petitioner

Vs.

1.The Commissioner,
Madurai City Municipal Corporation,
Aringnar Anna Maligai,
Madurai - 625 002.

2.The Assistant Commissioner,
Zone No.4,
Madurai City Municipal Corporation,
West Marat Street,
Madurai - 625 001.

... Respondents

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 connected with the Property Tax Demand Notice in file No. Z4R4/1044/14-U.A.C dated 25.04.2014 on the file of the Respondent No.1 and quash the same as illegal by considering the revision petition filed by the petitioner dated 28.03.2015 within the time stipulated by this Court.

For Petitioner : Mr.R.Alagumani

For Respondents : Mr.R.Prabu Ramachandran

O R D E R

Heard the learned counsel on either side.

2.The property tax demand made on the petitioner has been put to challenge in this Writ Petition. The petitioner's counsel states that the property is three storied construction. (G+2). The grievance of the petitioner is that the entire building has been treated as commercial complex. According to the petitioner, the ground floor is used for commercial purpose, while first and second floor are used as residence.

3.The petitioner undertakes to remit a sum of Rs.50,000/- within a period of three weeks from the date of receipt of a copy of this order.

4.This undertaking is recorded. Since the contention purforth by the petitioner has not been dealt with, the order impugned is quashed. The matter is remitted to the respondent to pass orders afresh in accordance with law. The counsel on either



side agreed that on 18.09.2020, at 11.00am, the officials of the respondent corporation will conduct inspection of the premises and take a decision thereafter. Of course, due process will have to be followed. The petitioner will not get any separate inspection notice. After final order is passed, if the petitioner is still aggrieved, he has to necessarily move the statutory tribunal and will not once again invoke the writ jurisdiction of this Court.

5. The Writ Petition is allowed on these terms. No Costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar
(Criminal Side)

// True Copy //

/ /2020
Sub Assistant Registrar(CS)

vrn

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 City Municipal Corporation,
Aringnar Anna Maligai,
Madurai - 625 002.

2. The Assistant Commissioner,
Zone No.4,
Madurai City Municipal Corporation,
West Marat Street,
Madurai - 625 001.

+1 CC to M/s.R. PRABU RAMACHANDRAN, Advocate (SR-16788[F] dated 15/09/2020)

W.P. (MD)No.7132 of 2015 and
MP (MD) No.1 and 2 of 2015
14.09.2020

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RMV (CO)

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