



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.6603 of 2016 and
WMP(MD) Nos.5691 & 5692 of 2016

P.Parameshwaran

... Petitioner

Vs.

1. The Commissioner,
Madurai Corporation,
Aringnar Anna Maligai,
Madurai.

2. The Assistant Commissioner,
Zonal -II,
Madurai Corporation,
Aringnar Anna Maligai,
Madurai.

... Respondents

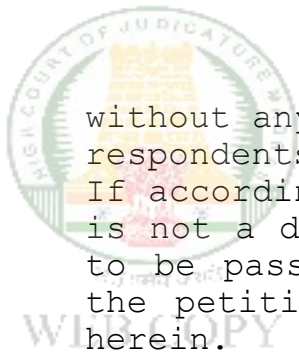
Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the impugned notice dated 14.03.2016 issued by the second respondent and quash the same as illegal and consequently directing the respondents to restore the water connection and under ground drainage connection to the premises of the petitioner and to repay Rs.1,00,000/- (Rupees one Lakh only), which was forcefully received by the respondents by way of Cheque No.113122 drawn on Indian Overseas Bank to the petitioner.

For Petitioner	: Mr.K.Neelamegam
For R1	: Mr.K.Govindarajan
For R2	: Mr.R.Prabu Ramachandran

O R D E R

Heard the learned counsel on either side.

2.The petitioner challenges the impugned attachment notice. The petitioner also contends that even though the petitioner had paid the property tax, the respondents have coercively obtained a sum of Rs.1,00,000/- from the petitioner's tenant. Therefore, the petitioner wants refund. There has to be a factual investigation. I remit the matter to the file of the first respondent. The petitioner shall place all the materials to show that he had paid the tax



without any arrears. If the statement of the petitioner is true, the respondents shall of course refund the amount taken from the tenant. If according to the respondents, the cheque obtained from the tenant is not a double collection, then a speaking order to that effect is to be passed. The respondent will consider all the contentions of the petitioners as well as the materials placed by the petitioner herein.

3.The learned standing counsel states that within a period of six weeks, the entire process will be completed. Recording the said submission, the Writ Petition is disposed of. No Costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (Records)

// 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.

+1 CC to Mr.R.PRABU RAMACHANDRAN, Advocate SR-16789.

+1 CC to Mr.K.NEELAMEGAM, Advocate SR-16792.

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KMV(CO)

CS(05.10.2020) 2P 3C