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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.12.2021

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.NO.24927 OF 2021

AND

W.M.P.NO.26246 OF 2021

(THROUGH VIDEO CONFERENCING)

Sri. Andhra Kala Sravanthi,
Represented by its President,
Mr.J.M.Naidu,
No.170/1, 200 Feet Ring Road,
Annai Nagar, Korattur,
Chennai - 600 076.

... Petitioner

Vs

1. The Commissioner,
Greater Chennai Corporation,
Rippon Building,
Chennai - 600 003.
2. The Assistant Revenue Officer,
Revenue Department,
Greater Chennai Corporation,
Zone VII (Ambattur), CTH Road,
Chennai - 600 053.
3. The Chairman,
Chennai Metropolitan Water Supply & Sewerage Board,
No.01, Pumping Station Road,
Chintadripet,
Chennai - 600 002.
4. The Senior Accounts Officer,
Chennai Metropolitan Water Supply & Sewerage Board,
Area - 7, No.1, T.S.Krishna Nagar,
Ambattur,
Chennai - 600 037.



5. The Assistant Engineer,
TANGEDCO,
Korattur,
Chennai - 600 059.

... Respondents

WEB COPY: Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the Respondents No.1 to 4 or any subordinates or any officer working under them or any other authorised persons with the proper authorization from initiating/taking all/any recovery measures and/or any coercive steps and/or further action against the Petitioner Society for recovering the alleged arrears of Property Tax and Water Tax & surcharge totally for a sum of Rs.15,54,923/- and also direct the 2nd and 4th Respondents to collect the property tax and water tax with surcharges as collected prior to the revision of property tax for the property of the petitioner society i.e., a community hall situated at No.170/1, 200 Feet Ring Road, Annai Nagar, Korattur, Chennai- 600 076, until disposal of the appeal dated 31.12.2018 against property tax assessment pending before the 1st Respondent.

For Petitioner	: Mr.S.R.Sankareshwaran
For Respondents	:
For R1 & R2	: Ms.S.Vaitheeswari, Standing Counsel
For R3 & R4	: Mr.M.Vijaya Kumar Standing Counsel
For R5	: Mr.Jaivenkatesh

ORDER

Heard the learned counsel for the petitioner and the learned counsel for the respondents.

2. The petitioner has an alternate remedy by filing before the Appellate Authority against assessment made. It is for the petitioner to workout the remedy before the Appellate Authority within the period of four weeks. In case, the petitioner fails to exercise such action within the aforesaid period, the respondents are at liberty to proceed against the petitioner in accordance with law and on merits.

3. The impugned recovery notice pursuant to order dated 16.09.2021 shall be therefore kept in abeyance for a period of four weeks from the date of receipt of a copy of this order.



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4. Accordingly, this writ petition stands closed with the above observations. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

rgm

To

1. The Commissioner,
Greater Chennai Corporation,
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Ambattur, Chennai - 600 037.
5. The Assistant Engineer,
TANGEDCO,
Korattur, Chennai - 600 059.

+1cc to Ms.S.Vaitheeswari, Advocate, S.R.No.68784

+1cc to Mr.M.Vijaya Kumar, Advocate, S.R.No.68923

W.P.No.24927 of 2021

and

W.M.P.No.26246 of 2021

NR(CO)

PM/11/01/2022