

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 19.04.2021
CORAM

THE HONOURABLE MR.JUSTICE S.M. SUBRAMANIAM

W.P.No.32223 of 2018
and
W.M.P.Nos.37469 & 37471 of 2019

Dr.S.P.Rajagopalan, Secretary,
Bhaktavatsalam Memorial College for Women,
No.14, 31st Street, TNHB Colony,
Periyar Nagar, Korattur,
Chennai-600 080.

.. Petitioner

-vs-

1.The Secretary,
Department of Municipal Administration
and Water Supply,
Government of Tamil Nadu,
Fort St. George, Chennai-600 009.

2.Commissioner, Corporation of Chennai,
Park Town, Chennai-600 003.

3.The Zonal Officer, Zone-VII,
Greater Chennai Corporation,
MTH Road (Opp. To Dunlop),
Ambattur, Chennai-600 053.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari to call for the records pertaining to the impugned resolution dated 10.04.2018 in Resolution No.292/2018, on the file of the 2nd respondent and the consequential assessment order (notice No.6) No.07/083/37002-000 dated 18.06.2018 and further notice of demand, bearing No.Z.O.7-R.D.C.No.R1/Spl/2018 (07.083-37002-000) dated 05.07.2018 on the file of the 3rd respondent, with regard to the imposition of property tax and further imposition of 60% surcharge in respect of the petitioner institutions, and quash the same.

For Petitioner : Mr.C.Johnson
For R1 : No appearance
For RR2 & 3 : Ms.Karthikaa Ashok
Standing Counsel

ORDER

As far as the determination of property tax in the present writ petition is concerned, the issues are settled between the

parties. As far as the payment of surcharge is concerned, the writ petition is sub judice before this Court.

2.The learned Standing Counsel appearing for the respondent-Corporation states that in the event of reaching any finality, the same will be binding on the writ petitioner also.

3.Thus, the claim of the petitioner made in the present writ petition, regarding surcharge, need not be considered. However, it is made clear that the petitioner is bound to pay the property tax as assessed by the competent authorities.

4.Accordingly, the petitioner is directed to pay the arrears of property tax as well as current property tax punctually except surcharge, which shall be paid after the disputes are resolved and as and when there is a demand made by the Corporation.

5.With the above observations, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

Abr

To

1.The Secretary,
Department of Municipal Administration
and Water Supply, Government of Tamil Nadu,
Fort St. George, Chennai-600 009.

2.Commissioner,
Corporation of Chennai,
Park Town, Chennai-600 003.

3.The Zonal Officer, Zone-VII,
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MTH Road (Opp. To Dunlop),
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+1cc to Mr.Karthikaa Ashok, Advocate, S.R.No. 23767

W.P.No.32223 of 2018

PP(CO)
GN(07/07/2021)