



WEB COPY



W.P. No.4948 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2023

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P. No.4948 of 2021 and
W.M.P. No.5527 of 2021

P.Sivakumar

..Petitioner

Vs.

The Commissioner
Salem City Municipal Corporation
Salem.

..Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the assessment of property tax located at 209, Sankr Films Road, Padri Nagar, Karungalpatty Corss Road, Salem and Quash the property tax Demand Notice No.M.F.No.25-I-II dated 18.02.2021 and further directing the respondents to fix the property tax as per norms and laid down procedures.

For Petitioner : Mr.L.Sriram

For Respondent : Ms.N.Devi
Standing Counsel



W.P. No.4948 of 2021

ORDER

The writ petition is filed challenging the demand notice dated 18.02.2021 insofar as it pertains to assessment of property tax in respect of property located at No.209, Sankar Films Road, Padri Nagar, Karungalpatty Cross Road, Salem.

2. The above writ petition has been filed on the premise that the impugned order suffers from error apparent on the face of the record inasmuch as the address was mentioned in the property tax as 209, Sankar Films Road, Padri Nagar, Karungalpatty Cross Rodad, Salem instead of 209, Trichy Road, Gugai, inter-alia amongst other grounds.

3. However, today when the matter was taken up for hearing, it was submitted by the learned counsel for the Respondent that if a fresh representation is filed, the same would be considered and orders passed in accordance with law. The same was also acceded to by the learned counsel for the petitioner. The learned counsel for the petitioner has made an endorsement stating that he may be permitted to withdraw the petition with liberty to file a fresh representation. The learned counsel for the petitioner would only submit that until the representation is disposed of there should not be any further recovery proceedings which request is also acceded to by the learned counsel for the Respondent.

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4. Recording the same, the writ petition is dismissed as withdrawn with liberty to file a fresh representation within a period of 4 weeks from the date of receipt of a copy of this order, until then all recovery proceedings shall be kept in abeyance. If any such representation is filed by the petitioner, the same shall be considered by the Respondent after granting the petitioner a reasonable opportunity. No costs. Consequently, connected miscellaneous petition is closed.

15.11.2023

Speaking (or) Non Speaking Order

Index: Yes/No

Neutral Citation: Yes/No

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To:

The Commissioner

Salem City Municipal Corporation

Salem.

MOHAMMED SHAFFIQ, J.

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