



WEB COPY



W.P.No.4822 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.02.2023

CORAM

The HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. No.4822 of 2023 and W.M.P. No.4850 of 2023

K.Abitha

... Petitioner

VS

The Commissioner,
Corporation of Coimbatore,
P-14, 1109, Big Bazaar Street,
Near TK Market,
Town Hall,
Coimbatore-641 001.

... Respondent

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus directing the respondent to remove the lock and seal initiated by the respondent on 11.02.2023 to the Shop No.79/4, New No.79/2, owned by the petitioner, situated at Cheran Towers, No.78, Arts College Road, Coimbatore.

For Petitioner : Mr.A.L.Somayaji,
Senior Advocate
for Mr.T.Thiageswaran

For Respondent : Mr.D.R.Arun Kumar,
Standing Counsel

ORDER

By consent of both the parties, this writ petition is taken up for final disposal in the admission stage itself.



W.P.No.4822 of 2023

2.This writ petition has been filed for a Mandamus seeking for a direction to the respondent to remove the lock and seal initiated by the respondent on 11.02.2023 in respect of the Shop No.79/4, New No.79/2, owned by the petitioner, situated at Cheran Towers, No.78, Arts College Road, Coimbatore.

3.The petitioner claims that she has paid the property tax for the aforementioned property upto date and there are no arrears. However, according to the petitioner, arbitrarily and illegally the respondent has affixed the lock and seal over the aforementioned property.

4.Heard Mr.A.L.Somayaji, learned Senior Counsel representing for Mr.T.Thiageswaran, learned counsel for the petitioner and Mr.D.R.Arun Kumar, learned Standing Counsel, who accepts notice on behalf of the respondent.

5.Mr.A.L.Somayaji, learned Senior Counsel representing for Mr.T.Thiageswaran, learned counsel for the petitioner submitted that the petitioner is willing to pay the property tax arrears if any.



W.P.No.4822 of 2023

6.It is informed by the learned Standing Counsel appearing for the respondent that a demand will be made on the petitioner by tomorrow (17.02.2023) informing her the amount payable by her towards the property tax arrears in respect of the aforementioned property.

7.Learned Senior Counsel on instructions would submit that the petitioner undertakes to pay the said amount, immediately on receipt of a written notice from the respondent.

8.After recording the rival submissions, this writ petition stands disposed of by directing the respondent to intimate the petitioner by a written notice by tomorrow (17.02.2023) with regard to the arrears of property tax payable by the petitioner for the aforementioned shop and on receipt of the said notice, the petitioner shall pay the same within a period of two days thereafter. On payment of the said amount, the respondent shall immediately remove the lock and seal of the petitioner's shop, i.e., Shop No.79/4, New No.79/2, owned by the petitioner, situated



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W.P.No.4822 of 2023

ABDUL QUDDHOSE, J.

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at Cheran Towers, No.78, Arts College Road, Coimbatore. No costs.

Consequently, connected miscellaneous petition is closed.

16.02.2023

vga

To

The Commissioner,
Corporation of Coimbatore,
P-14, 1109, Big Bazaar Street,
Near TK Market,
Town Hall,
Coimbatore-641 001.

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