



W.P.No.12107 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 20.04.2023

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No.12107 of 2023 and
WMP Nos.11949 and 11951 of 2023

1. K.V.Krishnan
2. K.V.Keerthiga

... Petitioners

Vs

The Commissioner,
Kancheepuram City Municipal Corporation,
Nellukara Street, Kanchipuram,
Tamil Nadu – 631 501.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus directing the respondent to produce all the records pertaining to the property tax demand notice dated 21.01.2023, bearing property tax assessment No.008/003/900310, pertaining to the property of the petitioners viz., No.18, Theradi Street, Big Kancheepuram 631 502, quash the property tax demand notice dated 21.1.2023 and direct the respondent to conduct fresh enquiry by receiving objections from the petitioners for enhancement of property tax, SUC and UGD charges, thereafter pass e-assessment order within a time frame.



WEB COPY



W.P.No.12107 of 2023

For Petitioner : Mr.N.Sivaprakash

For Respondent : Mr.R.Gopinath
Standing Counsel

ORDER

WMP No.11949 of 2023 filed seeking permission to file a single Writ Petition is ordered on payment of separate Court fee.

2. Mr.R.Gopinath, learned Standing Counsel accepts notice for the respondent and is armed with necessary instructions to enable a final disposal of this matter, even at the stage of admission.

3. The petitioners are residents of Kancheepuram District. They claim to be owners of the property at Door No.178/18, Theradi Street, Big Kancheepuram (in short 'property'/'property in question').

4. There is a marriage hall running in the property and the subject matter of the present Writ Petition is the property tax assessments in respect of the same. The petitioners were in receipt of notice dated 21.01.2023 from the Kancheepuram City Municipal Corporation, calling upon them to remit property tax for the periods 2018-19 to 2022-2023.

5. The petitioners have responded on 27.02.2023 and it is their case before me that the enhancement is not sustainable. There was a demand for water and sewerage tax as well, which the petitioners claim to have settled in full. The petitioners now request that their representation/reply dated



W.P.No.12107 of 2023

27.02.2023 be disposed and till such time no coercive action taken in respect of demand of property tax.

6. Mr.Gopinath, has no objection to this Court fixing the time frame within which the reply will be considered and disposed.

7. Hence, for this purpose, the petitioners are directed to appear before the respondent on 28.04.2023 at 10.30. a.m. without awaiting any further notice in this regard along with any/all materials in support of their submissions. The respondent, after hearing the petitioners and considering the materials, if any, produced, pass orders on the reply/representation dated 27.02.2023 in accordance with law, within a period of four (4) weeks from date of personal hearing, i.e., on or before 29.05.2023.

8. It is made clear that till 29.05.2023 or till the date of disposal of the representation, whichever is earlier, there will be no coercive action initiated in respect of the property in question qua the impugned demand. This is subject to the appearance of the petitioner on the date as stipulated above and extending full co-operation with the proceedings.

9. This Writ Petition stands disposed as above. No costs. Connected Miscellaneous Petition is closed.

sl

20.04.2023

Index : Yes / No

Speaking Order

Neutral Citation: Yes/No



WEB COPY



W.P.No.12107 of 2023

Dr.ANITA SUMANTH,J.

sl

To

The Commissioner,
Kancheepuram City Municipal Corporation,
Nellukara Street, Kanchipuram,
Tamil Nadu – 631 501.

W.P.No.12107 of 2023 and
WMP Nos.11949 and 11951 of 2023

20.04.2023