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W.P.No.12085 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 20.04.2023

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THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No.12085 of 2023
and WMP No.11926 of 2023

K.Prasanna Venkatachalam

... Petitioner

Vs

1. The Commissioner,
Greater Chennai Corporation,
Ripon Building, Chennai – 600 003.
2. The Regional Deputy Commissioner,
Zone 5, Corporation of Chennai,
61, Basin Bridge Road, Chennai – 600 021.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing respondents to grant vacancy remission of 50% provided under Section 105 of the Chennai City Municipal Corporation Act, 1919 from the year 2017 and consequently direct the respondents to adjust the vacancy remission payable to the petitioner by the respondentss from the year 2017 against the future tax to be paid by the petitioner in respect of his property bearing Bill No.05-060-03026-000 situated at 62(37), Rajaji Salai, Alias North Beach Road, Clive Battery, V.O.C. Nagar, Chennai – 600 001.



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For Petitioner : Mr.T.Karthik Srinath
for M/s.K.M.Vijayan Associates

For Respondents : Ms.K.Aswini Devi
Standing Counsel

ORDER

Ms.Aswini Devi, learned Standing Counsel accepts notice for the respondents and is armed with necessary instructions to enable a final disposal of this matter, even at the stage of admission.

2. The petitioner, an individual seeks vacancy remission under Section 105 of the Chennai City Municipal Corporation Act, 1919 (in short 'Act') in respect of his property at 62(37), Rajaji Salai, Alias North Beach Road, Clive Battery, V.O.C. Nagar, Chennai – 600 001 (in short 'property'/'property in question').

3. Since, the petitioner has sent multiple representations seeking the same relief and the same have also been received by the respondents, this Court thinks it appropriate to issue mandamus as sought for directing the respondents to consider the representations filed.

4. Ms.Aswini Devi would fairly accede to the aforesaid suggestion as well. Thus, mandamus is issued to R1 to issue notice to the petitioner for inspection of the property, conduct inspection in the presence of the petitioner and thereafter consider the representations of the petitioner dated 23.11.2018,



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22.04.2019, 23.08.2022 and 06.04.2023 seeking vacancy remission and pass

appropriate orders after hearing the petitioner within a period of six (6) weeks

from date of receipt of a copy of this order.

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

20.04.2023

Index : Yes / No

Speaking Order

Neutral Citation: Yes

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To

1. The Commissioner,
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61, Basin Bridge Road, Chennai – 600 021.



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Dr.ANITA SUMANTH,J.

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