



WEB COPY



W.P.No.15863 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.08.2023

CORAM :

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.15863 of 2022

and

W.M.P.Nos.15160 and 15161 of 2022

L.Unnamalai

... Petitioner

Vs.

1.The Commissioner,
Corporation of Chennai,
Ripon Buildings,
Chennai - 600 003.

2.The Assistant Revenue Officer,
Zone-9, Corporation of Chennai,
Nungambakkam, Chennai - 600 034.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorari, to call for the records of the proceedings pursuant to the distraint notice of the second respondent on the proceedings No. Zone 9/No.R1/DN-111/44/2022 dated 25.02.2022 and quash the same relating to the residential flat No.1A, First Floor, Temple Tree Apartments, No.20, Pycrofts Garden Road, Nungambakkam, Chennai - 600 034.



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For Petitioner : Mr.P.Rajendra Kumar

For Respondents : Mr.E.C.Ramesh
Standing Counsel

ORDER

There appears to be a clear harassment of the petitioner inasmuch as the second respondent has demanded a sum of Rs.1,32,671/- vide impugned Demand Notice dated 25.02.2022 bearing Ref.No. Zone 9/No.R1/DN-111/44/2022.

2. The petitioner has already represented to the second respondent as early as 5th October 2017 enclosing the details, which was also received by the Zonal Office-IX, Revenue Department, Corporation of Chennai. Despite the same, impugned demand has been made without considering the petitioner's representation.

3. Considering the above, the impugned Demand Notice stands quashed with a direction to the second respondent to consider and pass appropriate orders on the representation dated 05.10.2017 of the petitioner duly acknowledged by the Office of the second respondent within a period of four weeks from the date of receipt of a copy of this order.



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4. Needless to state, before passing such order, the petitioner or her authorized representative shall be heard.

5. In any event, the petitioner is directed to file a fresh copy of the aforesaid representation dated 05.10.2017 together with a fresh representation within the aforesaid period. The amount that has been already paid by the petitioner shall be adjusted against the future demand, in case it is confirmed that the amount paid was in excess of the amount payable by the petitioner.

6. The present Writ Petition stands allowed with the above observations. No costs. Consequently, connected Writ Miscellaneous Petitions are closed.

04.08.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation : Yes/No

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To

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C.SARAVANAN, J.

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