



W.P.No.5356 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

W.P.Nos.5356 and 5357 of 2016

&

W.M.P.Nos.4671 and 4673 of 2016

Central Chinmaya Mission
No.17, Harrington road, Chetpet
Chennai-600 031
Rep by its Principal
C.Sathyamoorthy

...Petitioner in W.P.No.5356 of 2016

Chinmaya Vidyalaya
9B, Taylors road
Kilpauk, Chennai-600 010
Rep by its Principal
C.Sathyamoorthy

...Petitioner in W.P.No.5357 of 2016

Vs.

1.The Chairman
Chennai Metropolitan Water Supply & Sewerage Board
No.1, Pumping Station Road
Chinthatripet, Chennai-600 002

2. The Senior Accounts Officer
Chennai Metropolitan Water Supply & Sewerage Board
No.1, Pumping Station Road
Chinthatripet, Chennai-600 002

... Respondents 1 and 2 in both cases



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3.The Area Engineer

Area IX

Chennai Metropolitan Water Supply & Sewerage Board

No.1, Dr.Ranga road, Abiramapuram

Chennai-600 018

..3rd Respondent in W.P.No.5356 of 2016

3.The Area Engineer

Area-VIII

Chennai Metropolitan Water Supply & Sewerage Board

Anna Nagar

Chennai-600 040

..3rd Respondent in W.P.No.5357 of 2016

COMMONPRAYER: Writ petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari calling for the records relating to the impugned demand notice of the 2nd respondent dated 10.02.2015, and 12.01.2016 relating to the demand of Rs.6,06,384/- (Rupees Six Laksh Six Thousand Three hundred and eight four) and Rs.1,53,068/- (Rupees One Lakh fifty three thousand and sixty eight only) towards arrears of Water & Sewerage Tax for a period from 2013 to 2015, quash the same.

For Petitioners : Mr.R.Parasuraman
in both cases for
Mr.B.Rabu Manohar

For Respondents : Mrs.Vasanthamal, Standing Counsel
in both cases for CMWSSB

COMMONO R D E R

These Writ Petitions are filed challenging the impugned demand notice of the 2nd respondent dated 10.02.2015, and 12.01.2016 relating to



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the demand of Rs.6,06,384/- (Rupees Six Laksh Six Thousand Three hundred and eight four) and Rs.1,53,068/- (Rupees One Lakh fifty three thousand and sixty eight only) towards arrears of Water & Sewerage Tax for a period from 2013 to 2015 and to quash the same.

2. It is the contention of the Writ Petitioner that he is the principal of the petitioners institution. The petitioner is enjoying exemption from payment of property tax, the respondents have increased the water and sewerage tax from Rs.21000/- per half yearly to Rs.1,01,064/- per half yearly in one school and Rs.1,53,06/- in another school and hence the same has been challenged on the ground that tax demanded is arbitrary, illegal , illogical.

3. Learned Standing counsel appearing for the respondents on instructions would submit that if the petitioner produce the revised property tax receipt, they will revisit and pass fresh orders. In such view of the matter, the petitioner is directed to produce the property tax receipts to the respondents on the basis of that the respondents shall revisit and pass fresh orders as per law.



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4. With the above directions, the Writ Petitions are disposed of.

Consequently, the demand notices are set aside and the respondents are directed to pass fresh order based on the property tax receipt produced by the petitioner. The petitioner shall produce such property tax receipts within a period of one month from the date of receipt of a copy of this order. No costs. Consequently, connected Writ Miscellaneous Petitions are closed.

25.01.2023

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Internet:Yes

Speaking/non-speaking order

Neutral Citation:Yes/No



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To

1.The Chairman

Chennai Metropolitan Water Supply & Sewerage Board
No.1, Pumping Station Road
Chinthatripet, Chennai-600 002

2. The Senior Accounts Officer

Chennai Metropolitan Water Supply & Sewerage Board
No.1, Pumping Station Road
Chinthatripet, Chennai-600 002

3.The Area Engineer

Area IX
Chennai Metropolitan Water Supply & Sewerage Board
No.1, Dr.Ranga road, Abiramapuram
Chennai-600 018

4.The Area Engineer

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Anna Nagar
Chennai-600 040



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N. SATHISH KUMAR, J.

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