



W.P.No.22421 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.07.2023

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.22421 of 2023

1.Mr.R.Kirubaraj

2.Mrs.K.Revathi Kirubaraj

... Petitioners

Vs

1.The Additional Chief Secretary to Government,
Municipal Administration and Water Supply Department,
Fort St.George, Chennai - 600 009.

2.The Commissioner,
Greater Chennai Corporation,
Ripon Buildings, E.V.R.Periyar Road,
Chennai - 600 003.

3.S.Sheik Mohideen

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the second respondent (i.e.) The Commissioner, Greater Chennai Corporation, Ripon Buildings, E.V.R.Periyar Road, Chennai - 600 003 to cancel the illegal property tax assessment made over the property of the petitioners at Door No.14A, J.Nagar, 3rd Salai, Panaiyur, Sholinganallur, Chennai - 600 119 by the 3rd respondent, Janab S.Sheik Mohideen.



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For Petitioners : Mr.G.K.R.Pandiann

For Respondents : Mr.J.C.Durairaj
Additional Government Pleader
for R1
Mr.Prithvi Chopda
Standing Counsel
for R2

ORDER

Mr.J.C.Durairaj, learned Additional Government Pleader takes notice on behalf of the first respondent and Mr.Prithvi Chopda, learned Standing Counsel takes notice on behalf of the second respondent.

2. Although the petitioner has filed this writ petition for a wider relief, it is noticed that the petitioners and the third respondent are neighbours who have purchased the property by two separate sale deeds dated 08.10.1999 and 16.05.2006 respectively. It appears that there is the suit pending against each other before the District Munsif Court, Alandur in O.S.No.95 of 2012, for a bare injunction by the petitioner and O.S.No.185 of 2012 for a declaration by the third respondent against the petitioner.



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3. It is the specific case of the petitioner is that the third respondent has managed to get the Property Tax Assessment over the petitioner's property in his name. In this connection, the petitioner has sent a representation dated 19.04.2023 with the office of the second respondent.

4. The learned Standing Counsel for the second respondent submits that both the parties namely the petitioners and the third respondent have been called for an enquiry on 03.08.2023 and appropriate orders will be passed after hearing the petitioners and the third respondent.

5. Considering the above submission, court is inclined to dispose this writ petition at the time of admission, by dispensing with notice on the private respondent/third respondent, by directing the second respondent to consider and pass appropriate orders of the representation dated 19.04.2023 of the petitioner, within a period of two weeks from today. Notice for the hearing appears to have not been served on the petitioner. Therefore, the first and second respondents shall also serve



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notice on the counsel for the petitioner. The petitioners or authorised representative of the petitioners and the third respondent, in any event, shall appear before the second respondent on 03.08.2023 at 11.30 a.m.

6. These writ petitions are disposed of. No costs.

28.07.2023

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

1.The Additional Chief Secretary to Government,
Municipal Administration and Water Supply Department,
Fort St.George, Chennai - 600 009.

2.The Commissioner,
Greater Chennai Corporation,
Ripon Buildings, E.V.R.Periyar Road,
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C.SARAVANAN,J.
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