



W.P.No.27705 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2023

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.27705 of 2023

R.Padmavathi

... Petitioner

Vs.

1. The Secretary,
Municipal Administration and
Water Supply Department,
Fort St George,
Chennai – 600 009.

2. The Commissioner,
Tambaram Corporation,
1, Muthuranga Mudali Street,
Tambaram West, Tambaram,
Chennai – 600 045.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, to call for the records on the file of the 2nd respondent bearing Demand Notice dated 10.02.2023, quash the same as illegal, incompetent, and devoid of merit and to reassess the Property Tax and SUC in congruence with the guidelines set forth Department Municipal Administration and Water Supply, and for consequential orders.



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For Petitioner : Mr.R.Hashwanth

For Respondents : Mr.M.Rajendran
Additional Government Pleader.

ORDER

Mr.M.Rajendran, learned Additional Government Pleader takes notice on behalf the respondents.

2. The petitioner is in arrears of property tax towards Solid Waste Management referred to SUC charges for a sum of Rs.1,32,904/- for the period starting from 1st half of the 2019-2020.

3.The case of the petitioner is that the property is in question of 680 sq.ft. built-up area on 249.25 sq.ft of UDS. It is submitted that the property was used as a hostel which was fully vacant on account of outbreak of COVID-19 pandemic. Even after normality has been restored, the petitioner has not been able to utilise the property for running the hostel. That apart, it is submitted that there is a huge increase in the property tax from Rs.4,613/- to Rs.9,226/-. It is further submitted that collection of SUC at Rs.12,000/- is also exorbitant.



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3. The learned Additional Government Pleader for the respondents on the other hand would submit that there is no merits in the present writ petition. It is submitted that the petitioner is in arrears of tax and the SUC charges for the period between 2019 and 2023. It is submitted that almost three years have been lapsed and still the petitioner has not bothered to clear the arrears. It is therefore submitted that the writ petitioner is liable to be dismissed.

4. I have considered the arguments advanced by the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents.

5. *Post facto*, the petitioner has sent a representation to the 2nd respondent/The Commissioner, Tambaram Corporation to reassess the property tax.



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6. Considering the above, Court is inclined to dispose this writ petition at the time of admission after dispensing with the requirement of filing of counter affidavit by directing the 2nd respondent to consider and pass appropriate orders on the petitioner's representation dated 01.03.2023 as expeditiously as possible, preferably within a period of thirty days from the receipt of a copy of this order, subject to the petitioner depositing 25% of the amount demanded. It is made clear that in case if the petitioner fails to comply with the order of this Court, the respondents are at liberty to proceed against the petitioner in terms of impugned demand notice.

7. This writ petition stands disposed of with the above observations. No costs.

22.09.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation : Yes/No
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C.SARAVANAN, J.

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