



W.P.No.27730 of 2023

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2023

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.27730 of 2023

and

W.M.P.Nos.27212 and 27213 of 2023

M.A.Ajima Beevi

... Petitioner

Vs.

1. The Managing Director,
Chennai Metropolitan Water Supply
and Sewerage Board,
Division 10, No.9, Muthukrishnan Street,
Thiagaraja Nagar,
Chennai – 17.

2. The Junior Engineer,
Office of the Chennai Metropolitan Water
Supply and Sewerage Board,
Depot 135, West Mambalam,
Chennai.

3. The Tahsildar/Sub Collector,
Chennai Metropolitan Water
Supply and Sewerage Board,
Depot 135, West Mambalam,
Chennai.

... Respondents



W.P.No.27730 of 2023

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorari, calling for records of the 3rd respondent dated 18.08.2023 and quash the same.

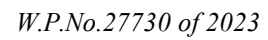
For Petitioner : Mr.Nissar Ahamed
Senior Counsel for
Mr.I.Kowser Nissar
For Respondents : Mrs.V.Vijayalakshmi
Standing Counsel

ORDER

Mrs.V.Vijayalakshmi, learned Standing Counsel takes notice on behalf the respondents.

2. The petitioner challenging the impugned demand notice dated 18.08.2023 issued by the 3rd respondent. By the impugned demand notice, the petitioner has been called upon to pay a sum of Rs.1,39,801/- towards the differential water tax and charges.

3.The specific case of the petitioner is that the petitioner has paid the tax amount and charges till 2022. However, the respondents have issued the impugned demand notice demanding the amount towards water charges of Rs.1,23,968/- and towards water tax of Rs.13,673/- without proper calculation.



5. I have considered the arguments advanced by the learned counsel for the petitioner and the learned Standing Counsel for the respondents.

6. Being satisfied with the reasons stated in the affidavit and submissions made by the learned Standing Counsel for the respondents, Court is inclined to dispose this writ petition at the time of admission by directing the 2nd respondent or any other Competent Authority to consider and pass appropriate orders on the petitioner's representation dated 30.08.2023 and 11.09.2023 as expeditiously as possible, preferably within a period of two months from the receipt of copy of a order, subject to the petitioner shall depositing 25% of the amount demanded in the impugned notice.



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7. Needless to state the amount to be paid by the petitioner shall be treated as a amount paid “under protest” and will be subject to final appropriation/adjustment after the petitioner's representations dated 30.08.2023 and 11.09.2023 are considered and disposed of on merits. It is made clear that in case the petitioner fails to deposit 25% of the amount demanded vide impugned demand notice dated 18.08.2023 of the third respondent, within such time, as order now, the 3rd respondent is at liberty to proceed against the petitioner, as if no orders are passed.

8. This writ petition stands disposed of with the above observations. No costs. Consequently, connected writ miscellaneous petitions are closed.

22.09.2023

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



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C.SARAVANAN, J.

mac/jas

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