



W.P.No.23 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2023

CORAM :

The Hon'ble Mr.JUSTICE M.SUNDAR

W.P.No.23 of 2023
and
W.M.P.Nos.12 and 13 of 2023
in
W.P.No.23 of 2023

Mr.K.Palaniyappan
S/o.Late Mr.PL.K.Kuppan Chettiar
No.353, Bharathiar Street
Gandhipuram
Coimbatore - 641 044.

.. Petitioner

Vs.

1. Corporation of Coimbatore
Represented by its Commissioner
P14, 1109, Big Bazaar Street
Town Hall, Coimbatore - 641 001.
2. The Revenue Officer
Coimbatore City Municipal Corporation
Corporation of Coimbatore
P14, 1109, Big Bazaar Street
Town Hall, Coimbatore - 641 001.

.. Respondents

Writ petition filed under Article 226 of the Constitution of India to
issue a Writ of Certiorarified Mandamus, calling upon the records of the



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respondent in impugned Property Tax Assessment No.8123521 dated Nil showing outstanding tax of Rs.32,59,966/- for the half yearly periods II/1998-1999 till II/2021-2022 for the petitioner property situated at No.9-13, Krishnan Street, Coimbatore and quash the same and direct the respondent not to threaten the petitioner with coercive action on the petitioner's property based on illegal, erroneous unconstitutional property tax demand for 46 half yearlies i.e., from II/1998-1999 till II/2021-2022.

For Petitioner : Ms.Vedhashri Narasa
for M/s.G.Vijay Anand Associates (Law Firm)

ORDER

When the matter was taken up, it came to light that some material papers and further averments may be necessary to support the grounds on which the prayer in the captioned main writ petition is predicated.

2. Faced with the above situation, learned counsel sought leave to withdraw the captioned writ petition but made a plea to preserve all the rights and contentions of the writ petitioner to file a fresh writ petition on the same cause of action assailing the same order with better particulars and more supporting documents. Learned counsel has made an endorsement in the case file and a scanned reproduction of the same is as follows:



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May be permitted
to withdraw this
Writ petition with
the permission to file
a fresh writ pet.
against the same
impugned order with
correct facts & figures
Counsel for pet.
Vedhasor
4-1-2022

3. Request of learned counsel for writ petitioner acceded to.

4. Captioned Writ Petition and Writ Miscellaneous Petitions thereat are disposed of as withdrawn / closed albeit preserving all the rights and contentions of writ petitioner to come up with / file a fresh writ petition with the same prayer on the same cause of action. Though obvious, it is made clear that no opinion or view has been expressed in this order.



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5. Captioned Writ Petition and Writ Miscellaneous Petitions are disposed of as withdrawn / closed albeit preserving all the rights and contentions of the writ petitioner in the aforesaid manner. There shall be no order as to costs.

04.01.2023

Index: Yes/No

Speaking / Non-speaking order

Neutral Citation : Yes / No

mk

To

1. The Commissioner
Corporation of Coimbatore
P14, 1109, Big Bazaar Street
Town Hall, Coimbatore - 641 001.
2. The Revenue Officer
Coimbatore City Municipal Corporation
Corporation of Coimbatore
P14, 1109, Big Bazaar Street
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M.SUNDAR, J.,



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