



W.P.No.6747 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.11.2024

CORAM:

THE HON'BLE MR JUSTICE C. SARAVANAN

W.P.No.6747 of 2022

and

W.M.P.No.6831 of 2022

The South Indian Film
Chamber of Commerce
Represented by its Honorary
Secretary Ramasami,
No.605, Anna Salai,
Cinema Centenary Building
Phase I, 4th Floor,
T.R.Sundaram Avenue,
Chennai – 600 006.

...Petitioner

Vs.

1.The Commissioner,
Corporation of Chennai,
Rippon Building,
Chennai – 600 003.

2.The Revenue Officer,
Corporation of Chennai,
Rippon Building,
Chennai – 600 003.



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3. The Assistant Revenue Officer,
Corporation of Chennai,
Zonal Office IX
No.1, Lake Area, 4th Cross Street,
Chennai – 600 034.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus to call for the records leading to the impugned demand notice of the 3rd respondent dated 25.05.2022 in proceedings Ma.A.9/Va.Thu.Na.Ka.No.Aar1/DN-111/1/2022 and quash the same and subsequently direct the respondents to grant vacancy remission to the petitioner society in view of Section 105 of the Madras City Municipal Corporation Act, 1919.

For Petitioner : Mr.R.V.Agilan
for M/s.C.Jagadish
For Respondents : Mr.E.C.Ramesh
Standing Counsel

ORDER

Heard, Mr.R.V.Agilan for Mr.C.Jagadish, learned counsel for the petitioner and Mr.E.C.Ramesh, learnd Standing Counsel for the respondents.

2. In this writ petition, the petitioner has challenged the impugned demand notice dated 25.02.2022, bearing reference Ma.A.9/Va.Thu.Na.Ka.No.Aar1/DN-111/1/2022 seeking to recover



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property tax from the petitioner for a sum of Rs.13,94,505/- under the provisions of Chennai City Municipal Corporation Act, 1919.

3. The specific case of the petitioner is that right from the year 2016, the petitioner's property has been vacant and therefore, the petitioner was entitled for vacancy remission, in accordance with the provisions of the aforesaid Act.

4. However, despite repeated reminders from the petitioner, all through, the period from the year 2016, starting from **01.07.2016** ending with **05.02.2021**, no orders have been passed by the respondents, instead of the impugned demand notice that has been issued to the petitioner.

5. The request of the petitioner for vacancy remission ought to have been considered by the respondents before issuing the demand impugned notice dated **25.02.2022**, seeking to demand a sum of Rs.13,94,505/-.



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6.Considering the same, this writ petition is disposed of, by directing the first respondent to consider the request of the petitioner for vacancy remission, within a period of six (6) weeks from the date of receipt of copy of this order. On the representations given by the petitioner on various dates. No costs. Connected Miscellaneous Petition is closed.

26.11.2024
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Index : Yes/No
Speaking/Non-Speaking Order
Neutral Citation Case : Yes/No
nst



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To:

- 1.The Commissioner,
Corporation of Chennai,
Rippon Building,
Chennai – 600 003.
- 2.The Revenue Officer,
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Rippon Building,
Chennai – 600 003.
- 3.The Assistant Revenue Officer,
Corporation of Chennai,
Zonal Office IX
No.1, Lake Area, 4th Cross Street,
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C. SARAVANAN, J.
nst

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and W.M.P.No.6831 of 2022

26.11.2024
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