



W.P.No.8347 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.10.2024

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.8347 of 2022

and

W.M.P.Nos.8315, 8318 and 8320 of 2022

Salvation Matric Higher Secondary School,
No.1, Salvation Avenue,
Thirumullaivoyal,
Chennai – 600 062.

Rep by its Correspondent,
Neeraj M Jeyakumar,
S/o.I.Manoharan Jeyakumar

... Petitioner

Vs.

The Commissioner,
Avadi Corporation,
Avadi,
Chennai – 600 054.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorari, to call for the records relating to the impugned Special Notice in Notice No.012/0008766 dated 24.07.2018 and subsequent impugned demand notice in No.Nil dated 08.07.2020 and consequent impugned distraint notice in No.Nil dated 25.03.2022 issued by the respondent and to quash the same.



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For Petitioner : No Appearance

For Respondent : Mr.R.A.Gopinath
Standing Counsel

ORDER

There is no representation on behalf of the petitioner.

2. In this present Writ Petition, the petitioner has challenged the impugned notice dated 24.07.2018, impugned demand notice dated 08.07.2020 and impugned distraint notice dated 25.03.2022. The demand has been made under the provisions of the Madras District Municipalities Act, 1920 which stands repealed and substituted with Urban and Local Bodies Act, 2023 with effect from 13.04.2023.

3. The petitioner is aggrieved by the impugned demand notices. It is for the petitioner to work out the remedy under the provisions of the said Act.

4. Under these circumstances, this Writ Petition is dismissed with liberty to the petitioner to file a Statutory Appeal, if advised, within a



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period of 30 days from the date of receipt of a copy of this order against the impugned demand notices. Since the present writ petition has been kept pending and no proceedings have been initiated pursuant to the impugned demand notices and the attachment notice dated 25.03.2022, Court is inclined to grant temporary reprieve to the petitioner to facilitate the petitioner to approach the Appellate Authority under the said Act. The recovery proceedings if any, shall be kept in abeyance for a period of 60 days from today. It is for the petitioner to obtain suitable interim orders, if any from the Appellate Authority against the impugned recovery proceedings. It is made clear that appeal shall be filed with due compliance of all the statutory safeguards prescribed under the said Act.

5. This Writ Petition stands dismissed with the above observations.

No costs. Consequently, connected writ miscellaneous petitions are closed.

19.10.2024

Index : Yes/No

Internet : Yes/No

Speaking Order/Non-Speaking Order

Neutral Citation : Yes/No

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To

The Commissioner,
Avadi Corporation,
Avadi,
Chennai – 600 054.



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C.SARAVANAN, J.

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