



W.P.No.8581 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 02.04.2024

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.8581 of 2024
and W.M.P.Nos.9538 & 9540 of 2024

M/s.B.T.Mansion,
Rep by its Proprietor,
M.R.Sheik Abdul Rahim,
No.24(71), Pillaiyar Kovil Street,
Chepauk, Chennai 600 005.

... Petitioner

-VS-

1.Greater Chennai Corporation,
Rep. by its Commissioner, Ripon Buildings,
Chennai 600 003.

2.The Assistant Revenue Officer
Zonal Office-IX,
Greater Chennai Corporation,
No.1, Lake Area 4th Cross Street,
Nungambakkam, Chennai 600 034.

3.Chennai Metropolitan Water Supply and Sewerage Board,
Rep. by its Managing Director,
No.1, Pumping Station Road,
Chintadripet, Chennai 600 002.

... Respondents



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WEB COPY PRAYER: Writ Petition filed under Article 226 of the Constitution of India, pleased to issue a Writ of Certiorarified Mandamus, to call for the records of the second respondent Z.O.IX.R.D.C.No.R1/DN.114/SPL/2022 dated 23.09.2022 and consequential demand water and drainage tax vide Bill No. (I.D).No.09-114-02688-000 dated 06.04.2016 issued by the first respondent pertaining to the property at B.T.Mansion, Door No.24(71), Pillayar Koil Street, Chepauk, Chennai 600 005 and quash the same as illegal and arbitrary and further for a direction, directing the first respondent to re-determine the annual value pertaining to the property in accordance with the correct methodology and levy te property tax appropriately within the limits contemplated under Section 99 of the Chennai City Municipal Corporation Act, 1919, considering the petitioner's representation dated 11.01.2024.

For Petitioner : Mr.K.Ezhumalai
for Mr.R.Abdul Mubeen



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For Respondents : Mr.P.Prithvi Chopda,
1, 2 SC (Corpn.)

For Respondent : Mrs.A.Vijayalakshmi,
3 SC (CMSSB)

ORDER

A demand notice dated 23.09.2022 is challenged in this writ petition. The petitioner runs a mansion under the name and style of B.T.Mansion. The petitioner had previously filed W.P.No.5324 of 2014 challenging resolution No.288 of 2009. The said writ petition was disposed of by order dated 21.11.2014. Thereafter, the petitioner also challenged the general revision by the Chennai Corporation in W.P.No.32844 of 2022 seeking a writ of declaration in respect of G.O.Ms.No.53, Municipal Administration and Water Supply Department dated 30.03.2022. Such writ petition was disposed of by order dated 22.09.2023 by granting leave to the petitioner to issue a



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fresh representation to the Commissioner, Greater Chennai Corporation. Pursuant thereto, the petitioner submitted a representation on 11.01.2024 and a notice of hearing was issued on 18.01.2024. The present writ petition has been filed in the said facts and circumstances.

2. Learned counsel for the petitioner submits that a representation was submitted pursuant to the order dated 22.09.2023 in W.P.No.32844 of 2022. Meanwhile, he submits that the Chennai Corporation is proceeding pursuant to the impugned demand notice.

3. Mr.P.Prithvi Chopda, learned standing counsel, accepts notice on behalf of the Greater Chennai Corporation and Mrs.A.Vijayalakshmi, learned standing counsel, accepts notice on behalf of the CMWSSB. Both learned standing counsel submit that the time prescribed by this Court in the earlier writ petition was up to 10.04.2024. They further submit that the petitioner's



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representation would be considered and disposed of within the said time limit.

4. In view of the submissions of learned standing counsel, the present writ petition is clearly premature. Therefore, W.P.No.8581 of 2024 is disposed of by leaving it open to the petitioner to participate in proceedings pursuant to the representation dated 11.01.2024 and, if aggrieved, to challenge such order in accordance with law. No costs. Consequently, W.M.P.Nos.9538 and 9540 of 2024 are closed.

02.04.2024

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Index : Yes / No

Internet : Yes / No

Neutral Citation: Yes / No

To

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Rep. by its Commissioner, Ripon Buildings, Chennai 600 003.

2.The Assistant Revenue Officer, Zonal Office-IX,
Greater Chennai Corporation, No.1, Lake Area 4th Cross Street,
Nungambakkam, Chennai 600 034.

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3.Chennai Metropolitan Water Supply and Sewerage Board,
Rep. by its Managing Director,
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