IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

WP.No.18780 of 2024

R.Kumuthavalli ... Petitioner

...Vs...

1. The Commissioner, Greater Chennai Corporation,
   Ripon Buildings,
   Chennai-3.

2. The Assistant Revenue Officer,
   Property Tax Department,
   Zone-12, Greater Chennai Corporation,
   SIDCO Industrial Estate, Guindy,
   Chennai- 600 016. . Respondents

Prayer:- This Writ Petition is filed, under Article 226 of the Constitution of India, for issuance of Writ of Mandamus directing the Second Respondent to consider and pass orders on the Petitioner's Appeal dated 19.03.2024 on the file of the 2nd Respondent, for reassessment of the property tax for the constructed area (675 Sq.ft) and to refund the excess amount collected, with regard to her Flat No.7, Door No.6/8, Lakshmi Flats, 13th Street, Nanganallur, Chennai-61.

For Petitioner : Mr.P.Selvaraj

For Respondents : Ms.S.Vanitha Joice Rani
Standing Counsel

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O R D E R

This Writ Petition is filed seeking direction to the 2nd Respondent to consider and pass orders on Petitioner's Appeal dated 19.03.2024 on the file of the 2nd Respondent, for reassessment of the property tax for the constructed area (675 Sq.ft) and to refund the excess amount collected, with regard to her Flat No.7, Door No.6/8, Lakshmi Flats, 13th Street, Nanganallur, Chennai-61.

2. Ms.S.Vanitha Joice Rani, learned standing counsel takes notice on behalf of the Respondents.

3. By consent of both sides, this Writ Petition is taken up and disposed of at the stage of admission itself.

4. The learned counsel for the Petitioner would submit that the Petitioner is residing in the Flat measuring 675 Sq,Ft, and the 2nd Respondent has assessed the property tax for 1175 Sq.Ft. instead of 675

Sq.ft. and the Petitioner has also paid the tax as demanded by the Respondent. He further submitted that the Petitioner is the owner of 675 sq.ft. only and the property tax paid by the Respondent is in excess and the same is liable to be refunded. In this regard, she filed an Appeal before the 2nd Respondent and the same is pending till date.

5. At this juncture, the learned Standing Counsel for the Respondents submitted that since the Appeal filed by the 2nd Respondent is pending before the 2nd Respondent, the same may be directed to be disposed of, within a stipulated time fixed by this Court.

6. This Court heard the learned counsel on either side and also perused the materials placed on record

7. Considering the submissions made by the learned counsel for Petitioner, without expressing any opinion on the merits of the case, this Court directs the 2nd Respondent to consider and pass orders on the Appeal filed by the Petitioner dated 19.03.2024, on merits and in accordance with law, within a period of three weeks from the date of

receipt of a copy of this order.

8. With the above directions, this Writ Petition is disposed of. No costs.

Post 'For Reporting Compliance' on 09.09.2024

05.08.2024

Index:Yes/No
Web:Yes/No
Speaking/Non Speaking
Neutral Citation: Yes/No
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To

1. The Commissioner, Greater Chennai Corporation,
   Ripon Buildings,
   Chennai-3.

2. The Assistant Revenue Officer,
   Property Tax Department,
   Zone-12, Greater Chennai Corporation,
   SIDCO Industrial Estate, Guindy,
   Chennai- 600 016.

KRISHNAN RAMASAMY, J.

arr

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