



W.P.No.33395 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 18.11.2024

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.33395 of 2024

and

W.M.P.No.36183 of 2024

S.Kalavathi

...Petitioner

Vs.

1.The Commissioner,
Greater Chennai Corporation,
Ripon Building, Chennai - 600 003.

2.The Assistant Revenue Officer,
Zone-IX, Greater Chennai Corporation,
Lake Area, Nungambakkam,
Chennai - 600 034.

... Respondents

Prayer: This Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the second respondent to dispose of the representation of the petitioner dated 31.12.2018 by giving personal hearing, correct the built up area of the property and pass orders in accordance with law within the time frame to be fixed by this Court.



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For Petitioner : Mr.N.P.Jayakumar

For Respondents : Mr.D.B.R.Prabhu
Standing Counsel

ORDER

The present Writ Petition has been filed praying for a writ of Mandamus to direct the second respondent to dispose of the representation of the petitioner dated 31.12.2018 by giving personal hearing, correct the built up area of the property and pass orders in accordance with law within the time frame to be fixed by this Court.

2. Mr.D.B.R.Prabhu, learned Standing Counsel, takes notice on behalf of the respondent. By consent of the parties, the main Writ Petition is taken up disposal at the admission stage.

3. It is submitted by the learned counsel for the petitioner that the property tax has been demanded on the premise that the extent of property is 735 sq.ft., instead of 225 sq.ft. The petitioner thus submitted a representation dated 31.12.2018, pointing out the above error on the face of record, followed by reminders/representations dated 18.09.2019, 04.03.2022, 10.02.2023 &



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21.03.2024. Despite the repeated reminders, there is gross inaction on the part of the respondents inasmuch as, even though, it is six years from the date of first representation, no order has been passed yet.

4. Mr.D.B.R.Prabhu, learned Standing Counsel for the respondents would submit the petitioner's representation dated commencing with 31.12.2018 and ending with last representation dated 21.03.2024 would be considered by the respondents and orders will be passed within a period of 4 weeks from the date of receipt of a copy of this order. It is also submitted that unless the representation is disposed of, the recovery proceedings shall be kept in abeyance until the representation is disposed of.

5. In view of the same, taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition, there shall be a direction to the second respondent to consider the petitioner's representation dated commencing with 31.12.2018 and ending with last representation dated 21.03.2024, on its own merits and pass appropriate orders in accordance with law, after affording reasonable opportunity of hearing to the petitioner, within a period of four (4) weeks from the date of receipt of a copy



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of this order.

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6. With the above directions, the writ petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

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Speaking/Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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To

1.The Commissioner,
Greater Chennai Corporation,
Ripon Building, Chennai - 600 003.

2.The Assistant Revenue Officer,
Zone-IX, Greater Chennai Corporation,
Lake Area, Nungambakkam,
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MOHAMMED SHAFFIQ, J.
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