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W.P.No.37007 of 2024.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.12.2024

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.37007 of 2024

Mr.G.Gopalakrishnan

...Petitioner

Vs.

M/s.Bharath Sanchar Nigam Limited
Rep. By its The General Manager (South)
Chennai Telephones
No.40-E, CIPET Road Industrial Estate
Chennai-600 032

..Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ o Mandamus, directing the respondent to dispose of the representations dated 30.07.2024, 14.09.2024, 01.10.2024 and 07.11.2024 and that were received by respondents.

For Petitioner
For respondents

: M/s.Babu Rangasamy Associates
: Mr.S.Udhaya Kumar

ORDER

The petitioner herein seeks a direction to respondent to dispose of his representations dated 30.07.2024, 14.09.2024, 01.10.2024 and 07.11.2024.



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2. It is the case of the petitioner that he leased out his property in favour of respondent for erection of mobile telephone tower. As per Clause 8 of the lease arrangement between the petitioner and the respondent, the commercial tax or any other tax payable due to the erection or use of infrastructure by the respondent shall be borne by the respondent. The petitioner was called upon by the Chennai Corporation to pay mobile tower tax of Rs.6,22,895/- along with interest towards the mobile tower installed in the petitioner's premises during the period 2022-2023. The petitioner submitted a representation to the respondent requesting him to pay the tax as demanded by the Corporation by relying on Clause 8 of the lease arrangement. The said representation has not been considered. Hence, the petitioner is before this Court.

3. Mr.S.Udhaya Kumar, learned Standing Counsel, who takes notice for the respondent would submit that last representation submitted by the petitioner dated 07.11.2024 will be considered on merits within a time fixed by this Court.



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4. In view of the same, without going into the merits of the claim made by the petitioner, this Court is inclined to direct the respondent to consider the representation of the petitioner dated 07.11.2024 and pass final orders on its' own merits within a period of eight weeks from the date of receipt of copy of this order.

5. With the above directions, this writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

06.12.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
nr

To
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S.SOUNTHAR, J.
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W.P.No.37007 of 2021.