



W.P.(MD).No.3965 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.12.2024

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD).No.3965 of 2017

and

W.M.P.(MD).Nos.3149 & 3150 of 2017

The Secretary,
Rotary Lahary Matriculation Higher Secondary School,
No.7, V.P.Retnasamy Nadar Salai,
Madurai – 625 001.

...Petitioner

Vs

1. The Tamil Nadu Government,
Represented by the Secretary,
Local Bodies and Municipal Administrations,
Secretariat,
St.George Fort,
Chennai .

2. The Commissioner,
Madurai Corporation,
Anna Maligai,
Madurai.

3. The Assistant Commissioner,
Zone – II,
Madurai Corporation.

... Respondents



W.P.(MD).No.3965 of 2017

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records in No.Z2A2/03652/16 dated 20.06.2016 on the file of the third respondent followed by revised order dated 16.10.2016 and quash the same as illegal, ultra vires and unconstitutional and in consequence forbearing the respondents 2 and 3 from in any manner assessing and collecting property tax in respect of school building of the petitioner situated in Town Survey no.2744 (Ward No.041, Narimedu, Zone-2 of Madurai Corporation), Madurai wherein Rotary Lahary School situates.

For Petitioner : Mr.S.Ramesh

For Respondents : Mr.M.Suresh Kumar
Additional Government Pleader
for R1

Mr.S.Vinayak for R2 & R3.

ORDER

Heard Mr.S.Ramesh, learned counsel for the petitioner, Mr.M.Suresh Kumar, learned Additional Government Pleader for the 1st respondent and Mr.S.Vinayak, learned counsel for the respondents 2 & 3.



W.P.(MD).No.3965 of 2017

WEB COPY

2. This Writ Petition has been filed challenging the order of the third respondent dated 20.06.2016 followed by revised order dated 16.10.2016 and forbearing the respondents 2 and 3 from in any manner assessing and collecting property tax in respect of school building of the petitioner situated in Town Survey no.2744 (Ward No.041, Narimedu, Zone-2 of Madurai Corporation), Madurai wherein Rotary Lahary School situates.

3. Considering that the order impugned in this writ petition is only a provisional assessment order, the petitioner is directed to file its objections along with supporting documents within a period of four weeks from the date of receipt of a copy of this order. Thereafter, the second respondent shall pass appropriate orders on the same. If the petitioner is aggrieved by the said order, he shall be entitled to file an appeal as provided under Section 100 of the Tamil Nadu Urban Local Bodies Act, 1998.



W.P.(MD).No.3965 of 2017

WEB COPY

4. With the above direction, this Writ Petition is disposed of.

There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

19.12.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr

To:

1. The Secretary,
The Tamil Nadu Government,
Local Bodies and Municipal Administrations,
Secretariat,
St. George Fort,
Chennai .
2. The Commissioner,
Madurai Corporation,
Anna Maligai,
Madurai.
3. The Assistant Commissioner,
Zone – II,
Madurai Corporation.



WEB COPY



W.P.(MD).No.3965 of 2017

K.KUMARESH BABU, J.

Nsr

W.P.(MD).No.3965 of 2017

19.12.2024