



W.P.No.6258 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 21-02-2025

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THE HONOURABLE MR JUSTICE KRISHNAN RAMASAMY

**WP No. 6258 of 2025 and
WMP.Nos.6877 and 6879 of 2025**

Prince Srivari Vidyalaya
Rep. by its Chairman Mr.K.Vasudevan
at No.93, College Road, Nanganallur
Chennai-600114.

Petitioner

..Vs..

1. The Commissioner
Corporation of Chennai,
Rippon Buildings, Park Town,
Chennai- 600 003.
2. The Assistant Revenue Officer
Chennai Corporation Zone-12,
Alandur, Chennai-16.
3. Area Engineer
Chennai Metropolitan Water Supply &
Sewerage Board
Area Office-12, New Premises at O.H.T.
Opp. To RTO office, No.1, New Street,
Alandur, Chennai-600016.



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4. Senior Accounts Officer
Chennai Metropolitan Water Supply &
Sewerage Board, Area Office-12,
New Premises at O.H.T.
Opp. To RTO Office, No.1, New Street,
Alandur, Chennai-600016.

5. The Special Tahsildar
Chennai Metropolitan Water Supply &
Sewerage Board, Area Office-12,
New Premises at O.H.T.
Opp. to RTO Office No.1, New Street,
Alandur, Chennai-600016.

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus to call for the records relating to the impugned attachment proceedings dated 24.01.2025 and consequent distraint order dated 06.02.2025 FORM-1 issued by the 5th respondent and quash the same and consequently direct the 1st respondent to dispose of the objections filed by the petitioner dated 18.10.2024.

For Petitioner : Mr.P.Muthusamy
For Respondents : Dr.Paul Sundar Singh
Standing Counsel (R3 to R5)
Ms.S.Vanitha Joice Rani
Standing Counsel (R1 and R2)



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ORDER

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This writ petition has been filed by the petitioner challenging the order of the 5th Respondent dated 24.01.2025 and consequent distraint order dated 06.02.2025 and to quash the same.

2. Dr.Paul Sundar Singh, learned Standing Counsel takes notice on behalf of the respondents 3 to 5. Ms.S.Vanitha Joice Rani, learned Standing Counsel takes notice on behalf of the respondents 1 and 2.

3. By consent of the parties, the main writ petition is taken up for disposal at the admission stage itself.

4. The learned counsel for the petitioner would submit that in the present case, without providing an opportunity to the petitioner water tax pertaining to the petitioner's school has been exorbitantly increased. According to the petitioner there is no outstanding as on date, but the 5th respondent has issued the recovery proceedings and consequently passed



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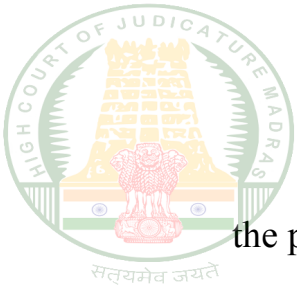
the distraint order and the said proceedings are under challenge in this writ petition.

5.Further, he would submit that as against the impugned proceedings, the petitioner has filed an Appeal before the appellate authority viz., the 2nd respondent and the same is pending. He further submitted that a direction may be given to the 2nd respondent to dispose of the Appeal within the stipulated time. He further submitted that the petitioner is ready to pay the half yearly tax at Rs.35,867/- (old tax) till the disposal of the Appeal.

6. The learned counsel appearing for the respondents would submit that a direction may be given to the 2nd respondent to dispose of the Appeal filed by the petitioner in a time bound manner.

7. Heard both sides. Perused the records.

8. Considering the submissions made by the learned counsel for



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the petitioner as well as the respondents, this Court is of the view that the grievance of the petitioner would be redressed if a direction is issued to the appellate authority viz., the 2nd respondent to dispose of the appeal filed by the petitioner. Accordingly, this Court passes the following order:

(i) The 2nd respondent is directed to dispose of the Appeal filed by the petitioner within a period of two weeks from the date of receipt of a copy of this order.

(ii) The respondents shall defer the recovery proceedings till the disposal of the Appeal.

(iii) It is made clear that the petitioner shall pay the half yearly water tax at Rs.35,867/- (old tax), till the disposal of the Appeal.

9. With the above directions, this writ petition is disposed of. No costs. Consequently, the connected miscellaneous petitions are also closed.

21.02.2025

Speaking/Non-speaking order
Index : Yes / No
Neutral Citation : Yes / No
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