



W.M.P.No.35478 of 2024 in W.P.No.24301 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated: 07.03.2025

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.M.P.No.35478 of 2024
in W.P.No.24301 of 2024

Musaddilal Projects Private Limited,
Represented By its Authorised Signatory,
Mr.Surya Narayana Keriya,
6-3-679 1st Floor,
Elite Plaza,
Punjugutta, Hyderabad 500 082.

... Petitioner

/versus/

1. The State Of Tamil Nadu,
Represented By its
Additional Chief Secretary To The Government Municipal Administration And
Water Supply (ma-iv),
Department Fort St Goerge,
Chennai 600 009.

2. Maraimalai Nagar Municipality,
Represented By Its Commissioner Municipal Office,
Maraimalainagar,
Chengalpattu 603 209.

... Respondents

PRAYER: Writ Miscellaneous Petition has been filed under Article 226 of the Constitution of India, to grant an order of injunction restraining the respondents, their men, agents, or any other person acting through or under them from



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collecting the attempting to collect property tax from the petitioner pursuant to G.O.(Ms).No.52 dated 30.03.2022 or Council Resolution bearing Na.Ka.No.745/2022/A1 dated 11.04.2022 pending disposal of the present writ petition bearing W.P.No.24301 of 2024.

For Petitioner : Mr.Anirudh Krishnan

For Respondents : Mr.V.Manoharan,
Additional Government Pleader, for R1
: Mr.P.Srinivas,
for R2

ORDER

When the matter is came up for hearing, Mr.Anirudh Krishnan, the Learned Counsel for the petitioner submitted that, *dehors* the various claims that are made and prayers that are made in the writ petition, the petitioner is ready to pay the amount if any claim to be due, without prejudice to their rights to contest the quantum of the amount by filing an appropriate appeal or such proceedings as may be permissible under law. He would submit that there was no any demand at all prior to the sealing and the one which is now proposed to be shown by the second respondent is not even signed and it was never served on the petitioner. He would also request some time to pay the amount as demanded by the respondent municipality and in the meanwhile, the premises shall be desealed.



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2. Per contra, Mr.Srinivas, learned Counsel appearing on behalf of the respondent/municipality submitted as on 02.01.2025, the petitioner is due and payable of a sum of Rs.54,91,834/-. It is his contention that the demand has been served. He further submitted that if the petitioner pays the amount, there will be no difficulty in desealing the premises and it would be open for the petitioner to contest the quantum in the manner known to law.

3. In view of the rival submissions made, I am of the view that when the petitioner is willing to make the payment and contest the total claim in the manner known to law, some breathing time can be given to the petitioner and this writ miscellaneous petition is disposed on the following terms:

(i) The petitioner shall pay an upfront sum of Rs.15,00,000/- to the second respondent. Upon receipt of the said payment, the second respondent shall desal the premises and the petitioner will be at liberty to function at the said premises.



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(ii) The balance sum shall be paid within a period of 4 weeks from the

date of desealing the premises. The payments are made by the petitioner without prejudice to its contentions and it will be open for the petitioner to contest the claim in the manner known to law. The second respondent shall also furnish the details of calculations and in what manner and for what arrears the said sum is demanded from the petitioner and it will be open for the petitioner to contest the same in the manner known to law.

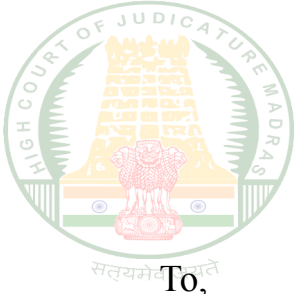
(iii) If the petitioner fails to pay the installments within the time prescribed after the desealing of the premises, the benefit granted by the present order shall go and once again the second respondent will be entitled to seal the premises.

(iv) The parties shall act on the production of the web copy of the order without waiting for the certified copy of the order.

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To,
The Additional Chief Secretary To The Government Municipal Administration
And Water Supply (ma-iv),
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Chennai 600 009.

2. The Commissioner Municipal office,
Maraimalai Nagar Municipality,
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D.BHARATHA CHAKRAVARTHY, J.

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