

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MRS. JUSTICE ANU SIVARAMAN

THURSDAY, THE 8TH DAY OF JUNE 2023 / 18TH JYAISHTA, 1945

WP(C) NO. 5661 OF 2016

PETITIONER:

M/S.SYNTHETIE INDUSTRIES LTD
SYNTHITE VALLEY, KADAYIRUPPU, KOLENCHERY-682 311,
ERNAKULAM, REPRESENTED BY ITS MANAGING DIRECTOR,
SHRI.GEORGE PAUL.

BY ADVS.

SRI.M.GOPIKRISHNAN NAMBIAR

SRI.P.BENNY THOMAS

SRI.P.GOPINATH

SRI.K.JOHN MATHAI

SRI.JOSON MANAVALAN

SRI.KURYAN THOMAS

RESPONDENTS:

- 1 STATE OF KERALA
REPRESENTED BY ITS SECRETARY, THE LOCAL SELF GOVERNMENT
DEPARTMENT, THIRUVANANTHAPURAM-695 001.
- 2 AIKARANAD GRAMA PANCHAYATH
REPRESENTED BY ITS SECRETARY, KADAYIRUPPU,
ERNAKULAM.682 311.

OTHER PRESENT:

SMT.K.R.DEEPA -SPL.GP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
08.06.2023, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

Dated this the 8th day of June, 2023

This writ petition is filed seeking the following reliefs:-

(i) direct the respondents to update the SANCHAYA software & complete the re-assessment of the property tax in light of Ext. P6 by issuance of a writ of mandamus or any other appropriate writ, order or direction;

(ii) direct the 2nd Respondent to refund the amount deposited with the 2nd respondent after setting-off the property tax for the assessment years 2013-14, 2014-15 & 2015-16 by issuance of a writ of mandamus or any other appropriate writ, order or direction;

(iii) direct the 2nd respondent to renew the license as required under the provisions of Panchayat Raj Act for the year 2016-17 after setting off the property tax for the assessment years 2013-2016 from the amount in deposit with the 2nd respondent.

2. Heard the learned counsel for the petitioner and the learned Government Pleader appearing for the 1st respondent.

3. In spite of service of notice by special messenger on the 2nd respondent on 22/2/2016, there is no appearance for the 2nd respondent. This writ petition has been pending since February, 2016 and interim orders had been passed in the same. However,

there is no counter affidavit placed on record. The 1st respondent also has not placed any counter affidavit on record in the writ petition till date. I notice that Exts P6 and P10 orders of the Government, therefore hold the field and that the petitioner is entitled to the reliefs as sought for in the writ petition.

This writ petition is therefore disposed of directing the 2nd respondent to take appropriate steps to refund the amount deposited by the petitioner at the time of preferring Ext.P3 appeal after deducting the amounts due for the respective period as provided in Exts.P6 and P10 Government orders. The amounts shall be calculated and disbursed to the petitioner within a period of two months from the date of receipt of a copy of this judgment.

Sd/-

ANU SIVARAMAN
JUDGE

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APPENDIX OF WP(C) 5661/2016

PETITIONER EXHIBITS

P1- TRUE COPY OF THE LETTER DATED 23.03.2015 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER.

P2- TRUE COPY OF THE DEMAND NOTICE DATED 29.06.2014 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER COMPANY FOR BUILDING NO.10/505.

P2(A)- TRUE COPY OF THE DEMAND NOTICE DATED 29.06.2014 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER COMPANY FOR BUILDING NO.10/506.

P2(B)- TRUE COPY OF THE DEMAND NOTICE DATED 29.06.2014 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER COMPANY FOR BUILDING NO.10/507.

P2(C)- TRUE COPY OF THE DEMAND NOTICE DATED 29.06.2014 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER COMPANY FOR BUILDING NO.10/508.

P2(D)- TRUE COPY OF THE DEMAND NOTICE DATED 29.06.2014 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER COMPANY FOR BUILDING NO.10/509.

P2(E)- TRUE COPY OF THE DEMAND NOTICE DATED 29.06.2014 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER COMPANY FOR BUILDING NO.10/510.

P2(F)- TRUE COPY OF THE DEMAND NOTICE DATED 29.06.2014 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER COMPANY FOR BUILDING NO.10/511.

P2(G)- TRUE COPY OF THE DEMAND NOTICE DATED 29.06.2014 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER COMPANY FOR BUILDING NO.10/512.

P2(H)- TRUE COPY OF THE DEMAND NOTICE DATED 29.06.2014 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER COMPANY FOR BUILDING NO.10/513.

P2(I)- TRUE COPY OF THE DEMAND NOTICE DATED 29.06.2014 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER COMPANY FOR BUILDING NO.10/514.

P2(J)- TRUE COPY OF THE DEMAND NOTICE DATED 29.06.2014 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER COMPANY FOR BUILDING NO.10/515.

P2(K)- TRUE COPY OF THE DEMAND NOTICE DATED 29.06.2014 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER COMPANY FOR BUILDING

NO.10/516.

P2(L)- TRUE COPY OF THE DEMAND NOTICE DATED 29.06.2014 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER COMPANY FOR BUILDING NO.10/517.

P2(M)- TRUE COPY OF THE DEMAND NOTICE DATED 29.06.2014 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER COMPANY FOR BUILDING NO.10/518.

P2(N)- TRUE COPY OF THE DEMAND NOTICE DATED 29.06.2014 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER COMPANY FOR BUILDING NO.10/519.

P2(O)- TRUE COPY OF THE DEMAND NOTICE DATED 29.06.2014 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER COMPANY FOR BUILDING NO.10/520.

P2(P)- TRUE COPY OF THE DEMAND NOTICE DATED 29.06.2014 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER COMPANY FOR BUILDING NO.10/521.

P2(Q)- TRUE COPY OF THE DEMAND NOTICE DATED 29.06.2014 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER COMPANY FOR BUILDING NO.10/522.

P2(R)- TRUE COPY OF THE DEMAND NOTICE DATED 29.06.2014 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER COMPANY FOR BUILDING NO.10/523.

P2(S)- TRUE COPY OF THE DEMAND NOTICE DATED 29.06.2014 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER COMPANY FOR BUILDING NO.10/524.

P2(T)- TRUE COPY OF THE DEMAND NOTICE DATED 29.06.2014 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER COMPANY FOR BUILDING NO.10/525.

P2(U)- TRUE COPY OF THE DEMAND NOTICE DATED 29.06.2014 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER COMPANY FOR BUILDING NO.10/526.

P2(V)- TRUE COPY OF THE DEMAND NOTICE DATED 29.06.2014 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER COMPANY FOR BUILDING NO.10/527.

P2(W)- TRUE COPY OF THE DEMAND NOTICE DATED 29.06.2014 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER COMPANY FOR BUILDING NO.10/528.

P2(X)- TRUE COPY OF THE DEMAND NOTICE DATED 29.06.2014 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER COMPANY FOR BUILDING NO.10/529.

P2(Y)- TRUE COPY OF THE DEMAND NOTICE DATED 29.06.2014 ISSUED

BY THE 2ND RESPONDENT TO THE PETITIONER COMPANY FOR BUILDING NO.10/531.

P2(Z)- TRUE COPY OF THE DEMAND NOTICE DATED 29.06.2014 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER COMPANY FOR BUILDING NO.10/532.

P2(AA)- TRUE COPY OF THE DEMAND NOTICE DATED 29.06.2014 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER COMPANY FOR BUILDING NO.10/533.

P2(AB)- TRUE COPY OF THE DEMAND NOTICE DATED 29.06.2014 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER COMPANY FOR BUILDING NO.10/534.

P2(AC)- TRUE COPY OF THE DEMAND NOTICE DATED 29.06.2014 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER COMPANY FOR BUILDING NO.10/535.

P2(AD)- TRUE COPY OF THE DEMAND NOTICE DATED 29.06.2014 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER COMPANY FOR BUILDING NO.10/536.

P3- TRUE COPY OF THE APPEAL DATED 23.04.2015 FILED BY THE PETITIONER COMPANY BEFORE THE STANDING COMMITTEE OF FINANCE OF THE 2ND RESPONDENT.

P4- TRUE COPY OF THE RECEIPT DATED 23.04.2015 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER.

P5- TRUE COPY OF THE COVERING LETTER DATED 31.03.2015 ISSUED BY THE PETITIONER COMPANY TO THE 2ND RESPONDENT.

P6- TRUE COPY OF THE ORDER DATED 27.04.2015 ISSUED BY THE 1ST RESPONDENT TO GRAMA PANCHAYATH, MUNICIPALITIES/MUNICIPAL CORPORATIONS.

P7- TRUE COPY OF THE LETTER DATED 27.05.2015 FILED BY THE PETITIONER COMPANY BEFORE THE 2ND RESPONDENT.

P8- TRUE COPY OF THE LETTER DATED 07.09.2015 FILED BY THE PETITIONER COMPANY BEFORE THE 2ND RESPONDENT.

P9- TRUE COPY OF THE LETTER DATED 22.09.2015 FILED BY THE PETITIONER COMPANY TO THE 2ND RESPONDENT.

P10- TRUE COPY OF THE ORDER DATED 16.12.2015 ISSUED BY THE 1ST RESPONDENT TO THE PANCHAYATS.