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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2023

CORAM

THE HONOURABLE MR.JUSTICE **C.V.KARTHIKEYAN**

W.P.(MD)No.8778 of 2023

V.A.Balachandran

... Petitioner

vs.

The Commissioner,
Madurai Corporation,
Anna Maligai, Thallakulam,
Madurai – 625 002.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondent to remove the blockade of drainage, to reopen the drainage and fresh water points and to remove the rotten odour garbage and fecal chick wastes dumped in front of the housing complex within a time frame.

For Petitioner :Mr.B.A.Muruganantham

For Respondent :Ms.S.Devasena



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ORDER

Heard Mr.B.A.Muruganantham, learned Counsel for the petitioner and Ms.S.Devasena, learned Standing Counsel for the respondent.

2.When the matter came up for hearing on 18.04.2023, time was granted to the learned Standing Counsel for the respondent to get necessary instructions.

3.Today The learned Counsel for the Writ Petitioner stated that the blockages have been removed.

4.But, however, the learned Standing Counsel for the respondent/Madurai Corporation stated that the Writ Petition had been cleverly drafted to screen the arrears of property tax to the extent of Rs.5,00,460/- as on date. That property tax of Rs.5,00,460/- is due payable even after adjusting a sum of Rs.1,50,000/-, which had been paid by the petitioner



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5.The petitioner, who is in arrears of tax, has a duty to first pay the tax before exercising any right. The respondent is at liberty to exercise the proceedings in manner known to law for recovery of the tax, if the petitioner does not pay the said tax on or before 15.05.2023.

6.The Writ Petition stands disposed of. No order as to costs.

Index :Yes / No
Internet :Yes
NCC : Yes/No

25.04.2023

cmr



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C.V.KARTHIKEYAN, J.

cmr

Order made in
W.P.(MD)No.8778 of 2023

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