

In the High Court of Judicature at Madras

Dated : 24.11.2016

Coram :

The Honourable Mr.Justice T.S.SIVAGNANAM

Writ Petition No.41319 of 2016

R.Thangaraj

...Petitioner

Vs

The Executive Officer,
Periyanaickenpalayam
Municipality,
Periyanaickenpalayam,
Coimbatore-20.

...Respondent

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the respondent to consider the petitioner's application dated 27.11.2015 and pass an order.

For Petitioner : Mr.G.Mohan
For Respondent : Mr.K.J.Shivakumar

ORDER

Mr.K.J.Shivakumar, learned Standing Counsel takes notice for the respondent. Heard both. By consent, the writ petition itself is taken up for final disposal.

2. The petitioner seeks a direction to the respondent to consider his application dated 27.11.2015, in and by which, he requested the respondent to assess his house property to tax and collect property tax from the

petitioner. The petitioner again sent two representations dated 13.4.2016 and 15.4.2016. Further, along with the representation dated 15.4.2016, he enclosed copies of sale deed, settlement deed, approved plan dated 24.9.2014, old tax receipts bearing No.3171 and other documents.

3. The grievance of the petitioner is that there was a building in the property, which has been demolished and a new construction has been put up in accordance with the sanctioned plan.

4. Though in the representation dated 15.4.2016, the list of enclosures has been given, in this writ petition, the petitioner has not furnished those documents in the typed set of papers. It is also not clear that the plot, in which, the petitioner constructed a house, is an approved plot or not. In any event, the relief sought for is very innocuous.

5. Therefore, without going into the merits of the petitioner's claim, the writ petition is disposed of with a direction to the respondent to consider the application of the petitioner dated 27.11.2015 on merits and in accordance with law, pass appropriate orders and communicate the same to the petitioner. It is made clear that this Court has not issued any positive direction and it is for the respondent to consider the petitioner's claim strictly in accordance with law. The petitioner is directed to enclose a copy of the

application dated 27.11.2015 and a copy of the representation dated 15.4.2016 along with a copy of this order and submit the same to the respondent for due compliance. The above exercise shall be completed by the respondent within a period of four weeks from the date of receipt of a copy of this order. No costs.

24.11.2016

Internet : Yes

To
The Executive Officer, Periyanaickenpalayam Municipality,
Periyanaickenpalayam, Coimbatore-20.

RS

T.S.SIVAGNANAM,J

RS

WP.No.41319 of 2016

24.11.2016