



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition (MD) No.23161 of 2016
and W.M.P (MD) No.16631 of 2016

T.Maharajan

...Petitioner

Vs.

The Tuticorin City Municipal Corporation,
Rep. By its Commissioner,
Palayamkottai Road,
Tuticorin.

...Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, forbearing the respondent from demanding and initiating any coercive steps to recover the Property Tax with respect to the properties in Door Nos. 15/2 and 15/3, Subramaniapuram, Tuticorin, pursuant to the Property Tax Assessment Nos.382217 and 382218, during the pendency of the Statutory Appeal Petitions filed by the petitioner on 29.08.2005 before the Taxation Appellate Tribunal, Tuticorin.

For Petitioner : Mr.S.Kadarkarai
For Respondent : Mr.Saji Bino

ORDER

Heard the learned counsel for the petitioner and the learned counsel for the respondent.

2.By consent, the Writ Petition itself is taken up for final disposal.

3.Against the Special Notice of property tax assessment, dated 03.03.2005, the petitioner filed an appeal before the Taxation Appellate Tribunal, Tuticorin. The above said appeal is pending, as no presiding officer was appointed for the Tribunal. When the said appeal is pending before the Taxation Appellate Tribunal, Tuticorin, the respondent initiating coercive steps to recover the same. Hence, the petitioner has filed the present Writ Petition.

4.The learned counsel for the petitioner submitted that now the presiding officer has been appointed by the Tribunal and the Taxation Appellate Tribunal, Tuticorin is functioning.



5. In the above circumstances, the Taxation Appellate Tribunal, Tuticorin, is directed to consider the petitioner's appeal, dated 20.08.2005 and pass appropriate orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order. Till the disposal of the appeal by the Taxation Appellate Tribunal, Tuticorin, the respondent is directed not to take any coercive steps against the petitioner for demanding property tax.

6. With the above direction, this Writ Petition is disposed of. Consequently, connected Miscellaneous Petition is also closed.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar (CS)

To

1) The Commissioner,
The Tuticorin City Municipal Corporation,
Palayamkottai Road,
Tuticorin.

2) The Taxation Appellate Tribunal,
Tuticorin.

1cc to Mr.S.Kadarkarai, Advocate in SR.74117

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