



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.12.2016

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P (MD) No.24499 of 2016
and W.M.P. (MD) No.17682 of 2016

R.Hemalatha Devi

... Petitioner

vs.

1.The Commissioner
Municipal office
Rajapalayam Municipality
Rajapalayam
Virudhunagar District

2.The Director
Local body Department
Secretariat, Chennai.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a writ of Mandamus directing the Respondents to consider the petitioners representation dated 23.11.2016 and direct the respondents to impose land tax only for his property situated in Door No.149A/1 Old Ward No.4 New Ward No.20 Corporation Tax Assessment Receipt No.289893 in Town Survey No.3 Survey Ward F Block No.1 R.S.No.284 and Door No.117 Ward No.20 Old No.4 Tax Assessment Receipt No.29613 T.S.No.21 22 23/1 Survey Ward H Block No.4 R.S.No.283/A/9 Part within the time frame that may be stipulated by this Hon'ble Court.

For Petitioner : Mr.G.Anbu Saravanan

For Respondents : Mr.A.Muthukaruppan
Additional Government Pleader

O R D E R

The petitioner seeks for a direction to the respondents to consider the petitioner's representation dated 23.11.2016 wherein he called upon the respondents to impose land tax only for his property situated in Door No.149A/1, Old Ward No.4, New Ward No.20, Corporation Tax Assessment Receipt No.289893 in Town Survey No.3, Survey Ward F Block No.1, R.S.No.284 and Door No.117, Ward No.20, Old No.4, Tax Assessment Receipt No.29613, T.S.No.21, 22, 23/1 Survey Ward H Block No.4 in R.S.No. 283/A/9 Part.

2.Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents.



3. The grievance of the petitioner is that even though the superstructures which were in existence have been removed later, the authorities are trying to impose tax.

4. This Court, at this stage, is not inclined to go into the merits of the claim made by the petitioner as it is for the respondents to consider the same based on his representation. Therefore, this writ petition is disposed of by directing the first respondent to consider the representation of the petitioner dated 23.11.2016 and pass orders on the same on merits and in accordance with law also by conducting field enquiry, if so warranted. Such exercise shall be done within a period of twelve weeks from the date of receipt of copy of this order. Consequently, connected W.M.P.(MD) No.17682 of 2016 is closed.

Sd/-
Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To,

1.The Commissioner
Municipal office
Rajapalayam Municipality
Rajapalayam
Virudhunagar District

2.The Director
Local body Department
Secretariat
Chennai.

+2 cc to M/s.G.Anbu Saravanan, Advocate in SR.No.82409
+1 cc to Mr. Special Government Pleader in SR.No.82945

CM
TTN/10.01.2017 : 2P-6C

**W.P(MD)No.24499 of 2016
and W.M.P. (MD) No.17682 of 2016
21.12.2016**