

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.07.2017

CORAM:

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.17586 of 2004
& W.P.M.P.20899 of 2004

Good Shepherd Education Trust,
Inter Diocesan Major Seminary,
rep.by its Procurator,
Myleripalayam Post,
(Via) Othakkalmandapam,
Coimbatore - 641 032. ... Petitioner

vs.

- 1.State of Tamil Nadu,
rep. by its Secretary to Government,
Rural Development Department,
Fort St. George,
Chennai - 600 009.
- 2.The District Collector,
Coimbatore District,
Coimbatore - 641 018.
- 3.The Commissioner of Madukarai,
Panchayat Union,
Madukarai Post,
Coimbatore - 641 105.
- 4.The President/Executive Officer,
Myleripalayam Village Panchayat,
Myleripalayam - 641 032,
Coimbatore District. ... Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Certiorarified Mandamus to call for the records relating to the proceedings of the 1st respondent herein in G.O.(Ms.) No.95, Rural Development (C2) Department dated 11.06.2004, quash the same and consequently direct the respondents herein to grant exemption from the levy of property tax in respect of the premises belonging to the petitioner which is situated in Survey Nos.212/1-3 of Myleripalayam Village, Coimbatore District, wherein the petitioner Trust is running an educational institution.

For Petitioner : Mr.P.Godson Swaminath
For R1 & 2 : Mr.Akhil Akbar Ali
Government Advocate
For R 3 : Mr.K.Elango
For R 4 : Mr.P.P.Shanmuga Sundaram

O R D E R

The writ petition has been filed for issuance of a Certiorarified Mandamus to call for the records relating to the proceedings of the first respondent herein in G.O.(Ms.) No.95, Rural Development (C2) Department dated 11.06.2004, quash the same and consequently direct the respondents herein, to grant exemption from the levy of property tax in respect of the premises belonging to the petitioner, which is situated in Survey Nos.212/1-3 of Myleripalayam Village, Coimbatore District, wherein the petitioner Trust is running an educational institution.

2.Heard both sides.

3.It is represented by the learned counsel for the petitioner that in view of the subsequent amendment made to Rule 15 of the Tamil Nadu Village Panchayats(Assessment and Collection of Taxes) Rules, 1999, nothing survives in the writ petition and the petitioner may be permitted to approach the authorities concerned, in view of such amendment.

4.It is represented by the learned counsel for the respondents that the entire amount demanded has already been paid.

5.Having regard to the above submission, the writ petition is disposed of. It is open to the petitioner to approach the authorities concerned and delay if any, to be condoned in filing the application, the authority may consider the same in accordance with law. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

dn

To

1. The Secretary to Government
State of Tamil Nadu,
Rural Development Department,
Fort St. George,
Chennai - 600 009.

2. The District Collector,
Coimbatore District,
Coimbatore - 641 018.

3. The Commissioner of Madukarai,
Panchayat Union,
Madukarai Post,
Coimbatore - 641 105.

4. The President/Executive Officer,
Myleripalayam Village Panchayat,
Myleripalayam - 641 032,
Coimbatore District.

+1 cc to Mr. Godson Swaminath Advocate sr 50871

+1 cc to the Government Pleader sr 50782

W.P.No.17586 of 2004

mg(co)
aa08/08/2017



WEB COPY