



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P (MD) No.11226 of 2015

Gnanamirtham

... Petitioner

Vs.

1.The District Collector
Kanyakumari District,
Nagercoil.

2.The Assistant Director of Panchayat,
Kanyakumari District,
Nagercoil

3.The Block Development Officer (P)
Munchirai Panchayat Union,
Munchirai,
Kanyakumari District.

4.The Panchayat President,
Vilathurai panchayat,
Kunnathoor,
Kappukad (Post),
Kanyakumari District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned order passed by the 4th Respondent in the Letter No.E1 dated 21.07.2014 and to quash the same and direct the 4th Respondent to assign new house number and assess the house tax for the petitioner's new house situated in Old Door No.7/122, Gnanamirtham Kirubai Illam, Merkankarai, Kappukad (Post), Kanyakumari District.

For Petitioner

: Mr.M.R.Sreenivasan

For R1 & R2

: Mr.S.Kumar

Additional Government Pleader

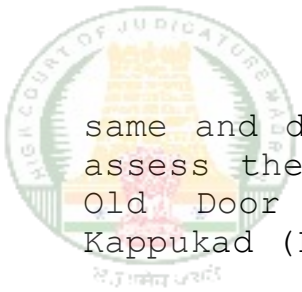
For R3

: Mr.Aayiram K.Selvakumar

Government Advocate

O R D E R

<https://hcservices.ecourts.gov.in/hcservices> This writ petition has been filed, seeking to call for the records pertaining to the impugned order passed by the 4th Respondent in the Letter No.E1 dated 21.07.2014 and to quash the



same and direct the 4th Respondent to assign new house number and assess the house tax for the petitioner's new house situated in Old Door No.7/122, Gnanamirtham Kirubai Illam, Merkankarai, Kappukad (Post), Kanyakumari District.

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2. Heard the learned counsel on either side.

3. It is the case of the petitioner that the petitioner's father has allotted the old house bearing Door No.7/122 by way of family arrangement to the petitioner, which is lying in 2nd plot of R.Sy.No.384/2 of Kunnathoor Village, Vilavancode Taluk, Kanyakumari District. Since the said house was in a dilapidated condition, the petitioner made a request to the 4th respondent for change of house tax and water tax and also for plan approval for construction of a new house. The petitioner, after obtaining due approval, constructed a new house in the month of September 2009 and made a representation dated 08.04.2014 to assign a new house number and to assess house tax for her new house and the same was rejected by the 4th respondent. Aggrieved over the same, the petitioner has come before this Court with the above prayer.

4. On perusal of the subsequent proceedings of the 4th respondent dated 16.08.2014, issued in Na.Ka.No.C2, it is crystal clear that the order dated 21.07.2014, impugned herein has been cancelled and it is not known as to what prompted the petitioner to challenge the said order, when it was not in existence at the time of filing the writ petition. Hence, this Court is of the view that nothing survives for adjudication in this petition, as the impugned order dated 21.07.2014 has already been cancelled.

5. In the result, this petition is disposed of, granting liberty to the petitioner to submit all the required documents to the 3rd respondent, if so desired and in the event of production of any such document, the same shall be considered and necessary orders be passed thereon at the earliest. No costs.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To:

1.The District Collector
Kanyakumari District,
Nagercoil.

<https://hcservices.csis.gov.in/cases/>
2.The Assistant Director of Panchayat,
Kanyakumari District,
Nagercoil



3.The Block Development Officer (P)
Munchirai Panchayat Union,
Munchirai,
Kanyakumari District.

WEB COPY

4.The Panchayat President,
Vilathurai panchayat,
Kunnathoor,
Kappukad (Post),
Kanyakumari District.

+1cc to M/S.M.R.Sreenivasan, Advocate SR.No. 67678

+1cc to Special Government Pleader, SR.No. 68309

W.P(MD)No.11226 of 2015
25.07.2017

RM

JM/MR KKR/SAR 2/17.08.2017/3P/7C