



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.08.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P. (MD) No.7729 of 2014

S.Mariappan

... Petitioner

Vs.

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Block Development Officer,
Kuruvikulam (Village Panchayat)
Kuruvikulam,
Tirunelveli District.

3.The President,
Kuruvikulam Panchayat Union,
Kuruvikulam,
Tirunelveli District.

4.The Inspector of Police,
Kuruvikulam Police Station,
Tirunelveli District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to collect the necessary tax amount and issuing House Tax Receipt in the petitioner's favour in Door No.2/15, Athipatti Panchayat, Kuruvikulam, Sankarankovil Taluk, Tirunelveli District in the light of his representation dated 14.12.2010.

For Petitioner : Mr.S.Sundara Pandian

For R1 : Mr.A.Muthukaruppan
Additional Government Pleader

For R2 : Mr.G.Muthukannan
Government Advocate

ORDER

The petitioner has come up with the present writ petition seeking for a direction to the respondents to collect necessary tax and issue House Tax Receipt in the favour of the petitioner in respect of his property in Door No.2/15 in Athipatti Panchayat, based on the petitioner's representation dated 14.12.2010.

2. Heard Mr.S.Sundara Pandian, learned counsel appearing for the petitioner, Mr.A.Muthukaruppan, Additional Government Pleader appearing for the first respondent and Mr.G.Muthukannan, learned Government Advocate appearing for the second respondent.

3. The learned counsel appearing for the petitioner submitted that it would suffice, if a direction is issued to the respondents to consider the representation of the petitioner.

4. Mr.G.Muthukannan, learned Government Advocate would submit that the third respondent is the competent authority, but in view of the vacancy in the post, the second respondent Block Development Officer, is functioning as a Special Officer of the Panchayat and therefore direction may be issued to the second respondent.

5. In view of the above submission, this Court, without going into merits of the case, directs the petitioner to give fresh representation enclosing a copy of this order and all relevant documents to the second respondent within the period of two weeks. On such compliance the second respondent shall consider the representation of the petitioner and pass orders on merits and in accordance with law within a period of six weeks thereafter.

6. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar (CS-II)

/True Copy/

Sub-Assistant Registrar

To

1. The District Collector,
Tirunelveli District,
Tirunelveli.



2.The Block Development Officer,
Kuruvikulam (Village Panchayat)
Kuruvikulam,
Tirunelveli District.

3.The President,
Kuruvikulam Panchayat Union,
Kuruvikulam,
Tirunelveli District.

4.The Inspector of Police,
Kuruvikulam Police Station,
Tirunelveli District.

+One cc to M/s.S.Sundarapandian, Advocate, SR.No.70050

+One cc to The Special Government Pleader, SR.No.70249

sss/dsk

RL/7C/2P/KK/SAR1/24/8/2017

W.P. (MD) No.7729 of 2014

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