



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 22.09.2017
CORAM

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

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W.P. (MD) No. 18179 of 2017

and

W.M.P (MD) No. 14631 of 2017

1. V.P. Ramakrishnan
2. V.P. Balakrishnan
3. V.P. Radhakrishnan

... Petitioners

Vs.

The Commissioner,
Tirumangalam Municipality,
Tirumangalam,
Madurai District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari and call for the records relating to the Special Notice Na.Ka.No.154/2017/A1 dated 05.09.2017 issued by the respondent and quash the same.

For Petitioners	: Mr.A.Thirumurthy
For Respondent	: Mr.J.Gunaseelan Muthiah, Government Advocate

ORDER

By consent, this writ petition itself is taken up for final disposal.

2.Mr.J.Gunaseelan Muthiah, learned Government Advocate takes notice for the respondent.

3. The case of the petitioners is that their father, one Pitcham Naidu owned a property in No.36, Jawahar Nagar 1st Street, (Ward No.6), Tirumangalam, Madurai District and after his demise, the petitioners are jointly enjoying the possession and according to them, the property tax is being assessed jointly in the name of all the three petitioners in No.5050/WD-6. While so, the grievance of the petitioners is that the respondent, all of a sudden, issued the impugned notice dated 05.09.2017, stating that the property tax has been revised from the year 2011-12, alleging that additional construction has been made and further directed the petitioners to file their objection, if any. Aggrieved by the same, the petitioners are before this Court.

<https://hcservices.ecourts.gov.in/hcservices/>

4. This Court is of the view that the notice impugned in



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this petition is only a show cause notice and the petitioners are entitled to file their objections, if any, as rightly mentioned in the notice itself. Under such circumstances, this Court, without going into the merits of the case, directs the petitioners to file necessary objections to the show cause notice, within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same, the respondent shall consider the same and pass appropriate orders, on its own merits and in accordance with law, after affording due opportunity of hearing to the petitioner, within a period of four weeks, thereafter. Till such time, the respondent is directed not to take any coercive step towards the petitioners.

5. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (RTI)

/True copy/

Sub Assistant Registrar

To

The Commissioner,
Tirumangalam Municipality,
Tirumangalam,
Madurai District.

+ 1 CC TO MR.A.Thirumurthy, ADVOCATE IN SR No.80660

+ 1 CC TO MR.J.Gunaseelan Muthiah, ADVOCATE IN SR No.80559

gk

MK/KP/SAR-1/10.10.2017/2P/4C

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