



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.10.2017

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

W.P(MD)No.19199 of 2017

M.Seenivasagan @ Seenivasan

.. Petitioner

Vs.

1.The Block Development Officer,
Kallikudi, Thirumangalam Taluk,
Madurai District.

2.K.Radhakrishnan

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 04.09.2017 sent to the 1st respondent for making objection to assess the property tax to the building constructed in the Survey No.155/2D, Peikulam Village, Kallikudi Sub Division, Thirumangalam Taluk, Madurai District.

For Petitioner : Mr.I.Suthakaran

For Respondents : Mr.G.Muthukannan
Government Advocate for R.1

ORDER

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

2. Mr.G.Muthukannan, learned Government Advocate takes notice for the first respondent. Notice to the second respondent is dispensed with, as no adverse orders is going to be passed and opportunity of hearing will be provided to him, by the authorities concerned, at the time of hearing.

3. According to the petitioner, the property in Survey No.155/2D, Peikulam Village, Kallikudi Sub Division, Thirumangalam Taluk, Madurai District, belongs to them and the second respondent was attempting to encroach the same. Aggrieved thereby, the petitioner has filed a Civil Suit in O.S.No.136 of 2017, which is said to be pending. Pending disposal of the said civil suit, the second respondent has encroached the property in question and constructed a building. Thereafter, the petitioner has made a representation dated 04.09.2017, to the first respondent, showing objection to levy property tax and to provide electricity connection to the constructed building. It is the further grievance of the petitioner that the said representation is not considered so



far and hence, he is before this Court.

4.The learned counsel for the petitioner submitted that it would suffice, if the representation of the petitioner dated 04.09.2017, is disposed of by the first respondent, as per law, within a stipulated time.

5.Considering the limited scope of the relief sought for, this Court, without going into the merits of the petitioner's claim, directs the first respondent to consider the representation of the petitioner dated 04.09.2017 and pass appropriate orders, on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner and second respondent, within a period of six weeks from the date of receipt of a copy of this order.

6.The writ petition is disposed of as above. No costs.

Sd/-

Assistant Registrar(P & A)

/True Copy/

Sub Assistant Registrar

To

The Block Development Officer,
Kallikudi, Thirumangalam Taluk,
Madurai District.

+1cc to M/s. I.SUTHAKARAN Advocate in SR. No. 82736

GK

JS/JC/SAR.2/31.10.2017/2P-3C

**ORDER MADE IN
W.P(MD)No.19199 of 2017
13.10.2017**