



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.12.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD)No.22852 of 2017

R.Rajaguru

.. Petitioner

Vs.

1. The District Collector/Inspector of Panchayats,
Virudhunagar District, Virudhunagar.

2. The Malaipatti Village Panchayat
rep. by its Special Officer/Block Development Officer (V.P),
Aruppukottai Panchayat Union,
Virudhunagar District.

.. 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 second respondent to levy house tax and issue tax receipts in the name of the petitioner in respect of his houses in D.Nos.3/479, 3/479A, 3/479B in Malaipatti Village, Aruppukottai Taluk, Virudhunagar District.

For Petitioner	: Mr.R.Gowrishankar
For Respondents	: Mr.T.S.Mohammed Mohideen, Additional Government Pleader.

ORDER

This writ petition is filed seeking a writ of Mandamus to direct the second respondent to levy house tax and issue tax receipts in the name of the petitioner in respect of his houses bearing Door Nos.3/479, 3/479A, 3/479B, situate in Malaipatti Village, Aruppukottai Taluk, Virudhunagar District.

2.Mr.T.S.Mohammed Mohideen, learned Additional Government Pleader. takes notice for the respondents.

3.By consent of both the parties, this writ petition is taken up for final hearing at the stage of admission itself.

4.Heard both sides.

5.The case of the petitioner is that the petition mentioned houses are originally belonged to his grandfather and he transferred the same to his wife viz., petitioner's grandmother and she gifted



the same to the petitioner, vide gift deed, dated 14.12.2006. According to the petitioner, one Chandra Prabhavathy, who is the daughter of his grandmother's sister, filed a civil suit in respect of the said property and the same was dismissed. The petitioner made a representation, dated 27.06.2017, to the second respondent, seeking to levy house tax and issue tax receipts in the name of the petitioner in respect of the said property. Since, the same has not been considered so far, the petitioner is before this Court.

6.The learned counsel for the petitioner would submit that it would be suffice, if the representation of the petitioner, dated 27.06.2017, is directed to be disposed of by the second respondent, as per law.

7.Considering the limited scope of the relief sought for, this Court, without going into the merits of the petitioner's claim, directs the second respondent to consider the representation of the petitioner, dated 27.06.2017, and pass appropriate orders on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner as well as all the interested parties, within a period of four weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector/Inspector of Panchayats,
Virudhunagar District, Virudhunagar.
2. The Special Officer/Block Development Officer (V.P),
Malaipatti Village Panchayat,
Aruppukottai Panchayat Union,
Virudhunagar District.

+ 1 CC TO Mr.R.GOWRI SHANKAR, ADVOCATE IN SR No. 92941
+ 1 CC TO Mr.T.S.MOHAMED MOHIDEEN, ADVOCATE IN SR No. 92632

SMN

TE/KK/SAR-3 : 27/12/2017 : 2P/5C