



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 22.08.2017

CORAM :

WEB COPY

**THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
AND
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

W.P(MD)No.13908 of 2016

D.Muniyasamy

... Petitioner

Vs.

1.The Regional Director of Municipality,
Tirunelveli.

2.The Revenue Divisional Officer,
Kovilpatti, Thoothukudi District.

3.The Tahsildar,
Kovilpatti, Thoothukudi District.

4.The Commissioner,
Kovilpatti Municipality,
Thoothukudi District.

... Respondents

Prayer : Petition filed Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus to call for the records relating to the impugned communication dated 23.06.2016 in Na.Ka.No.7702/2015/A1 issued by the fourth respondent and quash the same and consequently direct the fourth respondent to issue the property tax in respect of the persons who are residing in Government poromboke land at Ward No.30 & 31 in Survey Nos.589, 590, 595/3, 594, 559 of Kovilpatti Town, Thoothukudi District.

For Petitioner : Mr.V.Sasikumar

For Respondents : Mr.M.Govindan, Spl. GP for RR 1 to 3
Mr.M.Saravanan for R4.

O R D E R

(Order of the Court was made by G.R.SWAMINATHAN, J.)

The writ petitioner challenges the order dated 23.06.2016 issued by the Commissioner, Kovilpatti Municipality, Thoothukudi District and seeks a direction for levy of property tax.



2.It is admitted by the writ petitioner that he is not having any patta for the land occupied by him. However, a construction has been put up and the writ petitioner moved the fourth respondent for levying property tax on the said construction. All that the Municipal Commissioner, Kovilpatti Municipality has stated is that steps will be taken to levy property tax upon submission of patta by the writ petitioner for the land in question. Order passed by the Municipal Commissioner is perfectly justified. When the writ petitioner is not even having patta for the land in question, he cannot demand assessment for the construction put up on the said land.

3.There is no merit in this writ petition. It stands dismissed. No costs.

Sd/-
Assistant Registrar(CSI)

/True Copy/

Sub-Assistant Registrar

To

- 1.The Regional Director of Municipality,
Tirunelveli.
- 2.The Revenue Divisional Officer,
Kovilpatti, Thoothukudi District.
- 3.The Tahsildar,
Kovilpatti, Thoothukudi District.
- 4.The Commissioner,
Kovilpatti Municipality,
Thoothukudi District.

+One cc to Mr.V.Sasikumar, Advocate, SR.No.73967
+One cc to Mr.M.Saravanan, Advocate, SR.No.73739
+One cc to The Special Government Pleader, SR.No.74430

skm/Arul
RL/8C/2P/MR/KKR/SAR1/4/9/2017

W.P(MD)No.13908 of 2016