



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : **03.03.2017**

CORAM:

THE HONOURABLE MR.JUSTICE **A.SELVAM**

and

THE HONOURABLE MR.JUSTICE **P.KALAIYARASAN**

W.P (MD) No.3787 of 2017

R.Rajaselvan

.. Petitioner

Vs.

1.The Principal Secretary,
Municipal Administration and Water Supply Department,
State of Tamil Nadu, Fort St. George,
Chennai.

2.The State of Tamil Nadu rep. by
the Principal Secretary,
Rural and Panchayat Raj Department,
Fort St. George, Chennai - 600 009.

3.The Commissioner,
Madurai Corporation,
Alagarcoil Road, Madurai - 625 020.

4.The State of Tamil Nadu rep. by
the Principal Secretary,
Department of School Education,
Fort St. George, Chennai - 600 009.

5.The Director,
Directorate of Public Libraries,
L.L.A. Building, 737/1, Anna Salai,
Chennai - 600 002.

6.The Joint Director,
Directorate of Public Libraries,
L.L.A. Building, 737/1, Anna Salai,
Chennai - 600 002.

.. 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 take immediate action to remit the library cess with arrears, collected by all Corporations, Municipalities and local bodies in the state of Tamil Nadu to the concern district library authorities under Section 12 of Tamil Nadu Public Libraries Act, 1948 within the



For Petitioner : Mr.R.Alagumani
For Respondents : Mr.M.Govindan,
1, 2 and 4 to 6 Special Government Pleader.
For Respondent No.3 : Mr.T.S.Mohammed Mohideen

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ORDER

[Order of the Court was made by **A.SELVAM, J.**]

This writ petition has been filed under Article 226 of the Constitution of India praying to direct the respondents to remit library cess with arrears collected by all Corporations, Municipalities and local bodies in the State of Tamil Nadu to the concerned District Library Authorities under Section 12 of the Tamil Nadu Public Libraries Act, 1948, by way of issuing a writ of mandamus.

2.Mr.M.Govindan, learned Special Government Pleader, has taken notice for the respondents 1, 2 and 4 to 6. Mr.T.S.Mohammed Mohideen, learned counsel, has taken notice for the third respondent.

3.The learned counsel appearing for the petitioner has contended to the effect that the Corporations, Municipalities and local bodies have collected certain amounts for maintenance of District Libraries, but the same have not been remitted and they are bound to remit the same under Section 12 of the Tamil Nadu Public Libraries Act, 1948 and under the said circumstances the present writ petition has been filed for getting the relief sought therein.

4.Considering the nature of the relief sought in the writ petition and also considering the fact that as per Section 12 of the said Act, the Corporations, Municipalities and local bodies are bound to remit the library cess to the District Library Authorities throughout the State of Tamil Nadu, this Court is inclined to pass the following order.

5.In fine, this writ petition is allowed without costs and the respondents 1 and 2 are directed to take effective steps to remit library cess to all District Library Authorities within a period of six months.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar



To

1.The Principal Secretary,
Municipal Administration and Water Supply Department,
Government of Tamil Nadu, Fort St. George,
Chennai.

2.The Principal Secretary,
Rural and Panchayat Raj Department,
Government of Tamil Nadu,
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+1CC TO SPECIAL GOVERNMENT PLEADER SR NO.12580

smn

MAS/CM-MSA/SAR2:08.03.2017:3P/8C

ORDER MADE IN
W.P(MD)No.3787 of 2017
03.03.2017