



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.09.2017

CORAM :

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

and

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.523 of 2016

and

W.M.P (MD) Nos.3411, 429 & 430 of 2016

Anbalagan

... Petitioner

Vs.

1. The Tahsildar,
Palani Taluk Office
Dindigul District.

2. The Executive Officer,
Neikarapatti Town Panchayat,
Palani Taluk, Dindigul District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus to call for the records relating to impugned proceedings in Na.Ka.No.361/2015/Aa dated 15.12.2015 on the file of the 2nd Respondent and quash the same as illegal and arbitrary and consequently direct the 2nd Respondent to impose the house tax on the petitioners house which is situated in Survey No.1155/8 14th Ward K.Vellore, Neikarapatti, Palani Taluk, Dindigul District within the time limit that may be stipulated by this Honble Court.

For Petitioner : Mr.A.D.Ganeshamoorthi

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

ORDER

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

The writ petitioner challenges the order dated 15.12.2015 issued by the second respondent, calling upon the writ petitioner to remove the encroachment in question. The impugned order has been passed in violation of the principles of natural justice.

2.The writ petitioner was not heard before passing the impugned order. Therefore, on this ground, the impugned order is quashed.



3.The matter is remitted to the file of the second respondent with liberty to proceed a fresh in accordance with law.

4.This writ petition is allowed as indicated above. No costs. Consequently, connected miscellaneous petitions are closed.

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Sd/-

Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar

To

1. The Tahsildar,
Palani Taluk Office
Dindigul District.
2. The Executive Officer,
Neikarapatti Town Panchayat,
Palani Taluk, Dindigul District.

+1cc to Mr.A.D.Ganeshamoorthi, Advocate Sr.No.77728

+1cc to Spl.Government Pleader Sr.No.77968

RMI

VB/SKN/RSK/SAR2/26/09/2017/2P/5C

ORDER MADE IN
W. P. (MD) No.523 of 2016
07.09.2017