

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.02.2018

CORAM

THE HONOURABLE Mr. JUSTICE M.DURAI SWAMY

W.P.No.4050 of 2018

Jeevarathinam

.. Petitioner

vs.

1. The Tahsildar-cum-Executive Magistrate
Taluk Office
Department of Revenue and Disaster Management
Puducherry

2. The Commissioner
Commercial Taxes Department
Puducherry

.. Respondent

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents herein to consider the petitioner's representation dated 29.12.2017 and exclude the petitioner's property from the description of property mentioned in the attachment notice u/s.27 of the Puducherry Revenue Recovery Act dated 30.10.2014 in page No.819 of the Official Gazette of Puducherry dated 11.11.2014 the description of petitioner's property vacant house site measuring to the extent of 3 Kuzhies and 2 Veasam say 1800 sq.ft. comprised in Cadastre No.86pt. R.S.No.134/9pt. and T.S.No.41 situated at Maraimalai Adigal Salai, Puducherry Revenue Village, Mudaliarpeta Commune, Puducherry bounded on the North and South by the 20ft. width pathway, West by the land of the vendors (Ponnammal and others) and East by property of the vendors situated to the West of the 20ft. width pathway.

For Petitioner : Mr.U.Ragajothi

For Respondents : Mr.J.Kumaran
Govt. Advocate, Puducherry

ORDER

Mr.J.Kumaran learned Government Advocate (Puducherry) takes notice for the respondents. By consent, the main writ petition itself is taken up for disposal at the admission stage itself.

2. The petitioner has filed the above writ petition to issue a Writ of Mandamus, directing the respondents to consider his representation dated 29.12.2017 and exclude his property from the description of the property mentioned in the attachment notice dated 30.10.2014 u/s.27 of the Puducherry Revenue Recovery Act.

3. The learned counsel appearing for the petitioner submitted that though the petitioner has given his representation as early as on 29.12.2017, the respondents have not considered the same yet.

4. Mr.J.Kumaran learned Government Advocate (Puducherry) appearing for the respondents submitted that the respondents may be directed to consider the petitioners' representation dated 29.12.2017 and pass orders, in accordance with law.

5. Having regard to the submissions made by the learned counsel on either side, taking into consideration the limited prayer sought for in the writ petition, without expressing any opinion with regard to the merits of the case, I direct the respondents to consider the petitioner's representation dated 29.12.2017, and pass orders, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

With this observation, the writ petitions are disposed of.
No costs.

Sd/-
Assistant Registrar (CCC)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

Rj

To

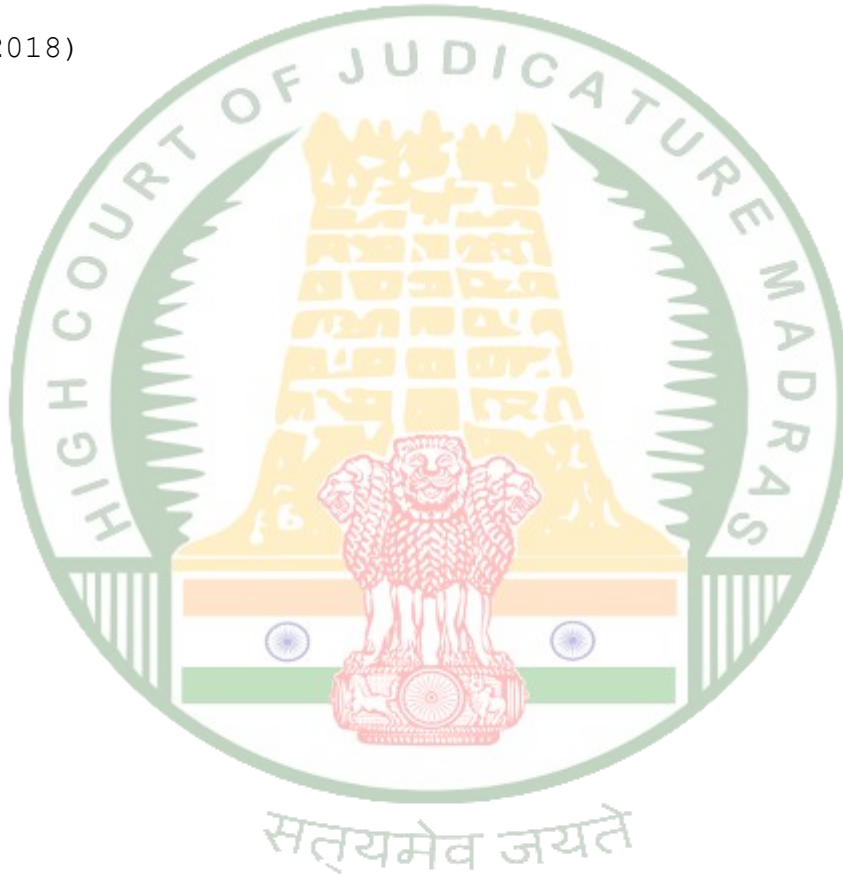
1. The Tahsildar-cum-Executive Magistrate
Taluk Office
Department of Revenue and Disaster Management
Puducherry

2.The Commissioner
Commercial Taxes Department
Puducherry

+1cc to Mr.U.RAGAJOTHI Advocate, S.R.No.13869
+1cc to the Government Pleader(PONDY), S.R.No.14189
+1cc to the SPL Government(TAXES) Pleader, S.R.No. 14568

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TR(28/02/2018)



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