

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.04.2018
Coram

The Hon'ble Mr.Justice T.S.Sivagnanam

Writ Petition No.7490 of 2018
and
W.M.P.No.9345 of 2018

Mohammed Junaid

...Petitioner

Vs.

1. The Secretary to Government,
Municipal Administration and Water Supply Department,
Fort St. George, Chennai - 600 009.
2. The Director of Town Panchayats,
Kuralagam, Chennai - 600 108.
3. The District Collector,
Tiruppur District, Tiruppur.
4. The Executive Officer,
Avinashi Town Panchayat,
Avinashi, Tiruppur District.
5. The Chairman,
Avinashi Town Panchayat,
Avinashi, Tiruppur District.

...Respondents

Writ Petition, filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, directing the first respondent to consider the proposal sent by the second and third respondents for approval of resolution No.63 of 2009, dated 06.07.2009 passed by the Avinashi Town Panchayat Council.

For Petitioner : Mr.K.Balakrishnan

For Respondents : Mr.E. Rose Kandan
Government Advocate

O R D E R

Heard Mr.K.Balakrishnan, the learned counsel appearing for the petitioner and Mr. E.Rose kandan, the learned Government Advocate, accepting notice on behalf of the respondents. With consent on either side, the Writ Petition is taken up for disposal.

2. The petitioner has filed this Writ Petition, seeking for issuance of a Writ of Mandamus to direct the first respondent to consider the proposal sent by the second and third respondents for approval of resolution No.63 of 2009, dated 06.07.2009 passed by the Avinashi Town Panchayat Council.

3. Virtually, for the same relief, an Association called as 'Avinashi Town People Welfare Development Association' has filed W.P.No.29577 of 2011 and this Court, by order, dated 08.11.2017 has issued certain directions. The operative portion of the said order reads as follows:-

" Accordingly, there will be a direction to the petitioner/ its members to pay the revised property tax in terms of the revision proposed in Resolution No.63/2009 dated 06.07.2009 and all the members of the petitioner association shall pay the revised property tax from the date on which such revision was made and there shall be no arrears till date. Subject to the above condition, the order of interim injunction already granted is made absolute. The learned Standing Counsel for the Town Panchayat is at liberty to mention before this Court for listing the writ petition after ascertaining the fact that all the members of the petitioner Association have paid the property tax in terms of the above directions. All the Miscellaneous Petitions are accordingly disposed of. "

4. In the light of the earlier order passed by this Court, at the instance of the aforementioned Association, no fresh direction is required in this Writ Petition. Accordingly, this Writ Petition is disposed of by directing the respondents to take note of the earlier direction issued on 08.11.2017 in the Miscellaneous Petitions in W.P.No.29577 of 2011 and act in accordance with law. No costs. Consequently, connected Writ Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

sd

To

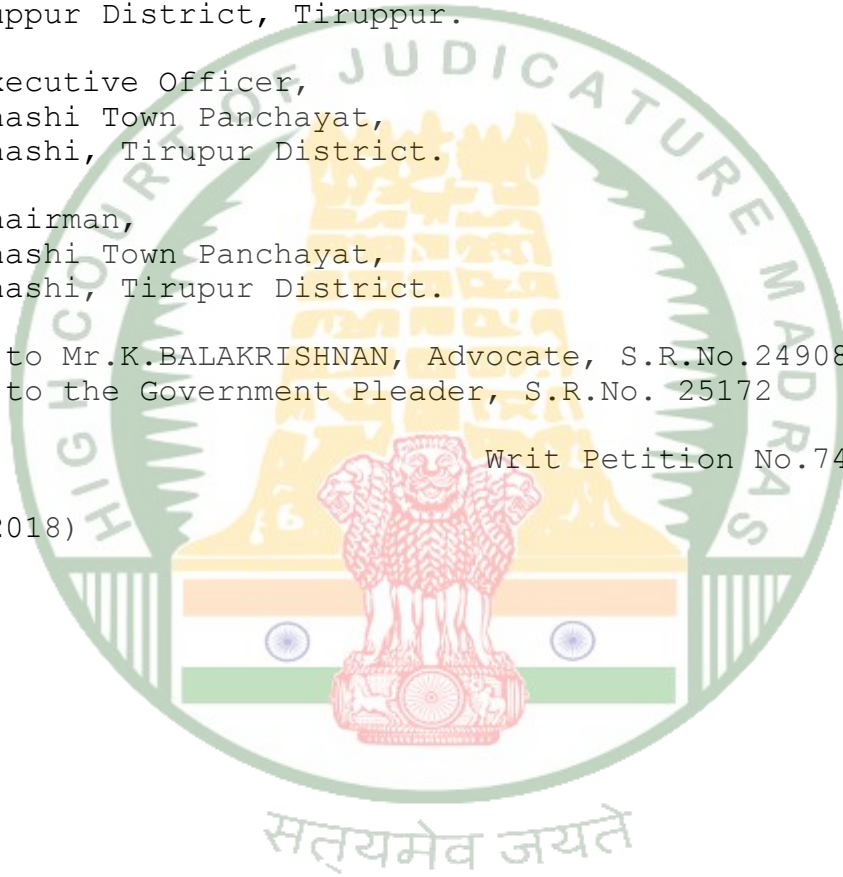
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+1cc to Mr.K.BALAKRISHNAN, Advocate, S.R.No.24908

+1cc to the Government Pleader, S.R.No. 25172

Writ Petition No.7490 of 2018

TR(08/06/2018)



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