

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 19.12.2018

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P. No.33961 of 2018
and
W.M.P.39436 of 2018

Kuttiammal

.. Petitioner

Vs.

1.The Settlement Officer,
Chepauk, Triplicane,
Chennai - 600 005.

2.The Assistant Land Tax Settlement Officer,
Chepauk,
Chennai - 600 005.

3.The Special Tahsildar,
Urban Land Tax Administration,
Tiruchengode,
Namakkal District.

4.M.Angammal

5.N.Vasudevan

6.N.Shanmugam

7.T.M.Krishnakumar

.. Respondents

PRAYER : Writ Petitions filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent to conduct the appeal No.5511 of 2017 in a manner known to law by providing fair opportunity to the petitioner by considering petitioner's memo dated 10.12.2018.

For Petitioner : Mr.R.Marudhachalamurthy

For RR1 to 3 : Mr.N.Inbanathan
Additional Government Pleader

O R D E R

By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

2. The prayer sought for in the Writ Petition is for a mandamus seeking a direction to the first respondent to hear the appeal No.5511 of 2017 by providing fair opportunity to the petitioner by considering his memo dated 10.12.2018.

3. It is stated that on 10.12.2018, when the appeal was posted for hearing before the first respondent, the petitioner had filed his counter and the reply was also filed by the other side. As the petitioner wanted to go through the reply, he sought for further time by filing a memo before the first respondent. But his request was not heeded to and the first respondent has posted the appeal for orders.

4. Heard Mr.R.Marudhachalamurthy, learned counsel appearing for the petitioner and Mr.N.Inbanathan, learned Additional Government Pleader appearing for the respondents 1 to 3.

5. The learned Additional Government Pleader submitted that no orders has been passed till today.

6. Despite the request, if the first respondent is not considering the petitioner's request of personal hearing it will be violative of principles of natural justice. Hence, the first respondent is directed to issue notice to the petitioner fixing the date of next hearing and afford an opportunity of personal hearing to the petitioner as well as other parties to the proceeding, then pass orders in the manner known to law. However, the entire exercise should be completed within a period of three months from the date of receipt of a copy of this order.

7. With the above directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

rsi

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To

1.The Settlement Officer,
Chepauk, Triplicane,
Chennai - 600 005.

2.The Assistant Land Tax Settlement Officer,
Chepauk,
Chennai - 600 005.

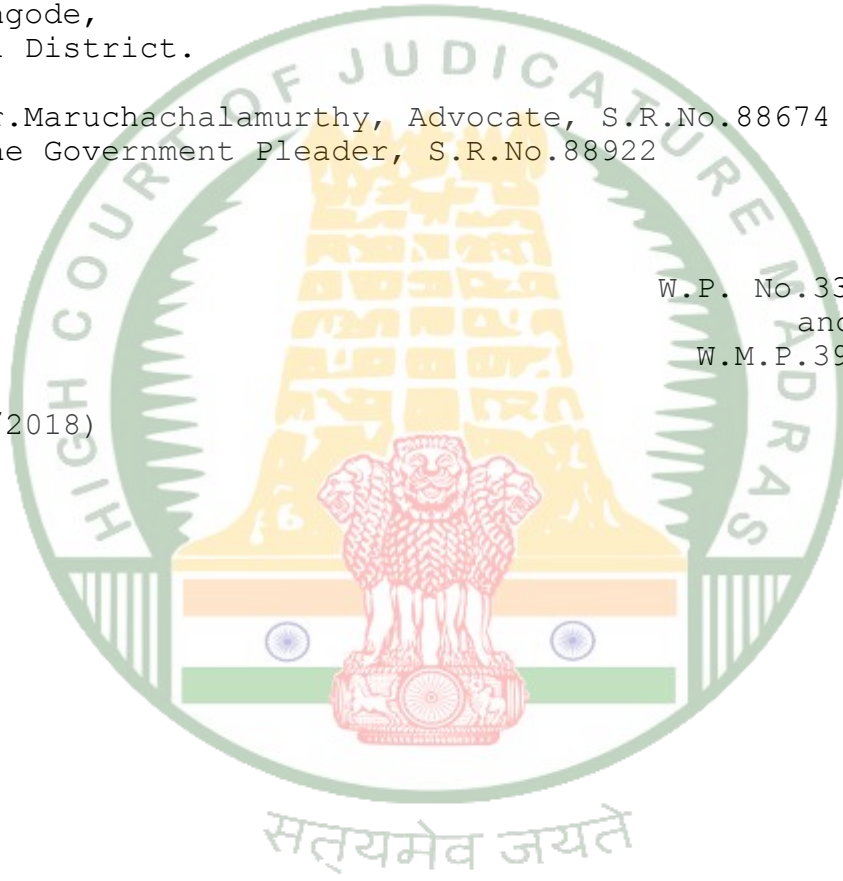
3.The Special Tahsildar,
Urban Land Tax Administration,
Tiruchengode,
Namakkal District.

+1cc to Mr.Maruchachalamurthy, Advocate, S.R.No.88674

+1cc to the Government Pleader, S.R.No.88922

W.P. No.33961 of 2018
and
W.M.P.39436 of 2018

RJ1 (CO)
KAK(21/12/2018)



WEB COPY