



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.01.2018

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P (MD) No.1629 of 2018

and

WMP (MD) No.1722 of 2018

K.Paramaeswaran

... Petitioner

Vs.

1.The Appellate Tax Authority,
Pannaikadu Town Panchayat,
Dindigul District.

2.The Executive Officer,
Pannaikadu Town Panchayat,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for the records relating with the impugned attachment notice No.1/2018 and 2/2018 dated.19.01.2018, issued by the 2nd respondent and quash the same as it is arbitrary and illegal and further directing the 1st respondent to dispose the petitioner's tax appeal petition dated 13.04.2015, relating with the assessment of property tax to his building bearing door No.8-1-34B/1 & 8-1-34B/2 in Aladipatti in Pannaikadu in Dindigul District vide Assessment No.2800 & 2801, with a time to be fixed by this Court.

For Petitioner

: Mr.R.Suriyanarayanan

For Respondents

: Mr.M.Rajaraman,

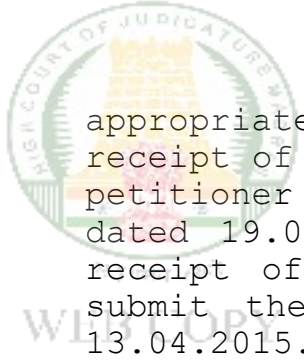
Government Advocate

ORDER

The grievance of the petitioner is that no opportunity was provided to the writ petitioner for the purpose of submitting his explanation/ objections, in respect of the payment of property tax.

2. The learned Counsel appearing for the writ petitioner made submissions that the writ petitioner is ready and willing to pay the demanded property tax without prejudice to his right in respect of the appeal pending before the first respondent.

3.In view of the submissions made by the learned counsel for the petitioner, the first respondent/appellate authority is directed to consider the appeal submitted by the writ petitioner on 13.04.2015, on merits and in accordance with law and pass



appropriate orders within a period of twelve weeks from the date of receipt of a copy of a order, subject to the condition that the writ petitioner deposits the arrears of property tax as per the notice dated 19.01.2018 within a period of four weeks from the date of receipt of a copy of this order. The petitioner is permitted to submit the additional grounds, if any, along with appeal dated 13.04.2015. This apart, the writ petitioner is directed to provide a copy of the appeal and other relevant documents along with a copy of the order passed in this writ petition.

4. Accordingly, the writ petition stands disposed of. However, there shall be no orders as to costs. Consequently, WMP (MD) No.1722 of 2018 is closed.

Sd/-
Assistant Registrar

/True Copy/

Sub-Assistant Registrar

To

1. The Appellate Tax Authority,
Pannaikadu Town Panchayat,
Dindigul District.

2. The Executive Officer,
Pannaikadu Town Panchayat,
Dindigul District.

+One cc to M/s.R.Suriyanarayanan, Advocate, SR.No.44708

dsk
RL/4C/2P/SV/MMS/SAR4/13/2/2018

ORDER MADE IN

W.P (MD) No.1629 of 2018

29.01.2018