



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.02.2018

CORAM:

THE HONOURABLE MR.JUSTICE **V.BHARATHIDASAN**

W.P. (MD)No.3822 of 2018

and

W.M.P. (MD)No.3953 of 2018

R.Renganathan

... Petitioner

Vs.

The Commissioner,
Tirunelveli Municipal Corporation,
SN High Road, Tirunelveli-1.

... Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondent to remove the dust bin measuring 7 feet height and 10 feet length and breadth which is placed in the entrance of my hotel named Sakunthala International at NO.5C/3 and Sumangali Kalyana Mandapam at No.5C/4, Trivandram road, Vannarapettai, Tirunelveli.

For Petitioner	: Mr.S.C.Herold Singh
For Respondents	: Mr.Aayiram K.Selvakumar Additional Government Pleader

ORDER

This Writ Petition has been filed seeking a direction to remove the dustbin put up in front of the petitioner's hotel by the respondent corporation.

2.According to the petitioner, he is running a hotel namely, Sakunthala International at No.5C/3 and Sumangali Kalyana Mandapam at NO.5C/4 at Trivandram road, Vannarapettai, Tirunelveli. Now, the respondent herein, without reason whatsoever, put up a dustbin in front of the petitioner's hotel, hence, the present writ petition has been filed.

3.Today, when the matter is taken up for hearing, the learned Additional Government Pleader, on instructions, submitted that the dustbin put up in front of the petitioner's hotel has already been removed, further submitted that there is a huge arrears of property tax to the tune of Rs.16 lakhs. So far the petitioner has not paid the same. If the petitioner failed to pay the property tax, the corporation can take necessary action as per law. Instead of doing so, they cannot put up dustbin in front of the petitioner's hotel. However, it is always open to the respondent corporation to recover the arrears of property tax as per law.



4.This Writ Petition is disposed of accordingly. No costs.
Consequently, W.M.P.(MD)No.3953 of 2018 is closed.

Sd/-

Assistant Registrar(AS)

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/True Copy/

Sub Assistant Registrar

To

The Commissioner,
Tirunelveli Municipal Corporation,
SN High Road, Tirunelveli-1.

+1cc to Mr.S.C.Herold Singh. Advocate SR.No.50869

+1cc to Mr.Aayiram K.Selvakumar, Advocate SR.No.51125

TA

VB/SV/MMS/SAR3/13/03/2018/2P/4C

W.P. (MD)No.3822 of 2018
23.02.2018