



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.06.2018

CORAM :

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

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Writ Petition (MD) No.12944 of 2018

T.Kannan

... Petitioner

Vs.

1. The District Collector,
Collector's Office,
Dindigul.

2. The Assistant Director of Town Panchayat,
O/o.Assistant Director of Town Panchayat,
Dindigul.

3. The Executive Officer,
Chinnalapatti Town Panchayat,
Ambathurai Village,
Aathur Taluk,
Dindigul District 624 301.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents 1 to 3 i) to assess fix and levy the tax to the petitioner situated at D.No.11/3/87-D Kamarajar Salai Chinnalapatti Amabathurai Village Athur Taluk Dindigul District bearing Survey No.13/2 as per guidelines and rules as stipulated under the Act in respect of Chinnalapatti Town Panchayat; ii) consequently direct the 3rd respondent not to indulge any coercive steps of disconnecting the drinking water supply and drainage connection and demolishing any construction made by the petitioner without following the procedure known to law.

For Petitioner : Mr.V.R.Venkatesan

For Respondents : Mr.J.Gunaseelan Muthiah,
Additional Government Pleader.

ORDER

The petitioner is the owner of the buildings at Door No.11/3/87-D, Kamarajar Salai, Chinnalapatti, Ambathurai Village, Athur Taluk, Dindigul District. After completion of the buildings, he requested the third respondent to inspect the buildings and assess the property to tax.

2.Mr.J.Gunaseelan Muthiah, learned Additional Government Pleader appearing on behalf of the respondents would submit that the third respondent is willing to inspect the property and assess it to tax, provided the petitioner co-operates in the proceedings.



3. In reply, the learned counsel appearing for the petitioner would submit that the petitioner is ready and willing to co-operate with the third respondent during inspection as well as measurement of the property to which he seeks tax assessment.

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4. At this juncture, the learned Additional Government Pleader appearing for the third respondent would submit that if the petitioner co-operates with the third respondent, the third respondent will conduct inspection of the buildings on 02.07.2018 and pass assessment orders on 06.07.2018.

5. In view of the submissions made by both sides, by consent of both parties, a direction is issued to the third respondent to inspect the property in question for assessment of tax on 02.07.2018 and pass assessment orders, as expeditiously as possible, in any event, within a period of one week from the date of inspection. In the meanwhile, the third respondent is also directed not to take coercive steps in disconnecting the water and drainage connection.

6. The writ petition stands disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Collector's Office,
Dindigul.
2. The Assistant Director of Town Panchayat,
O/o. Assistant Director of Town Panchayat,
Dindigul.
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