



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.07.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.15269 of 2018

B.Mumtaj Begam

... Petitioner

vs.

1. The Commissioner
Tirunelveli Corporation
Tirunelveli.

2. The Assistant Commissioner
Melappalayam Ward Office
Tirunelveli Corporation
Tirunelveli.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondents to consider the petitioner's representation dated 05.08.2013, 28.10.2014, 04.07.2018 which is relating to rectify the mistake in assessment number 291500 and to receive the tax for the petitioner's property in Plot No.17, Ward No.29, admeasuring 600 Sq.ft situated at New Huq Colon, Raja Nagar 3rd Street, Melappalayam, Tirunelveli.

For Petitioner : Mr.T.Selvan

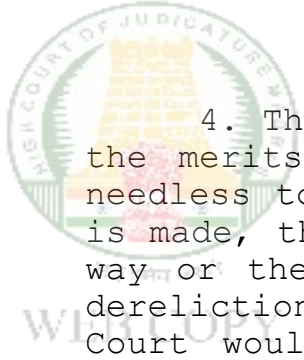
For Respondents : Mr.Aaiyiram K. Selvakumar
Standing Counsel

ORDER

Mr.Aaiyiram K. Selvakumar, learned Standing Counsel takes notice for the respondents

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

3. It is the grievance of the petitioner that his representations dated 04.07.2018 seeking to rectify the mistake in assessment number 291500 and to receive the tax for his property in Plot No.17, Ward No.29, admeasuring 600 Sq.ft situated at New Huq Colon, Raja Nagar 3rd Street, Melappalayam, Tirunelveli, has not been considered by the second respondent till date and therefore, he has filed the present writ petition.



4. This Court has not expressed any of its view with regard to the merits of the representation made by the petitioner. It is needless to point out that whenever a representation of this nature is made, the respondents are duty bound to consider the same in one way or the other. Non-consideration of the same would amount to dereliction of ordinary duties of their office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them to consider the petitioner's representation within a stipulated time.

5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the second respondent to consider the petitioner's representation dated 04.07.2018 on its own merits and take further action in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. Such an exercise shall be done after giving due opportunity to the petitioner as well as to any other persons who may be interested in the subject matter.

6. With the above directions, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(W)

/True copy/

Sub Assistant Registrar(CS-III)

To:

1. The Commissioner
Tirunelveli Corporation
Tirunelveli.
2. The Assistant Commissioner
Melappalayam Ward Office
Tirunelveli Corporation
Tirunelveli.

+1cc to Mr.T.Selvan, Advocate, SR.No.73063.

W.P. (MD) No.15269 of 2018
16.07.2018

AAV

RAM/RP/SAR 3/27.07.2018/2P/4C