



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No. 6178 of 2019

and

W.M.P. (MD) No. 4941 and 4942 of 2019

K. Kanagaraj

... Petitioner

Vs.

1. The Regional Director of Municipal Administration,
Tirunelveli,
Tirunelveli District.

2. The Commissioner cum Special Officer,
Rajapalayam Municipality,
T.P. Milla Road,
Rajapalayam,
Virudhunagar District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records on the file of the second respondent pertaining to its attachment order dated 25.01.2019 and to quash the same and consequently, direct the respondent and re-fix the property tax in accordance with law.

For Petitioner : Mr. S.C. Herold Singh

For R1 : Mr. M. Rajarajan
Government Advocate

For R2 : Mr. N. Dilip Kumar

ORDER

Heard the learned counsel on either side.

2. The petitioner is owning a Ginning Mill. He was paying a sum of Rs. 30,231/- as half yearly property tax. It has been enhanced to Rs. 2,08,724/- as annual tax.

3. The primary contention put forth by the petitioner is that this re-fixation has been done without putting him on notice. I find the said objection to be reasonable and having force.

4. In this view of the matter, the order impugned in this writ petition is set aside. The matter is remitted to the file of the second respondent. It is open to the second respondent to pass order afresh in accordance with law after giving notice to



the writ petitioner. It is seen that the petitioner has already given his objections vide letter dated 18.02.2019.

5.The learned Standing Counsel appearing for the respondents states that this will be taken note of. This petitioner is strictly directed to extend fullest cooperation. He shall attend the enquiry on that date. It is undertaken that he shall not drag on the proceedings. Likewise, when the spot inspection takes place, the petitioner shall extend his cooperation.

6.This writ petition is allowed on these terms. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (W)

// True Copy //

Sub Assistant Registrar(CS)

To
The Regional Director of Municipal Administration,
Tirunelveli,
Tirunelvlei District.

2.The Commissioner cum Special Officer,
Rajapalayam Municipality,
T.P.Milla Road,
Rajapalayam,
Virudhunagar District.

+1 CC to M/s.S.C.HEROLD SINGH, Advocate (SR-54276[F] dated 15/03/2019)

+1 CC to M/s.N.DILIP KUMAR, Advocate (SR-54431[F] dated 15/03/2019)

+1 CC to M/s.SPL GP (SR-54657[F] dated 18/03/2019)

RMI

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