



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.08.2019

CORAM

WEB COPY

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P(MD)No.17062 of 2019
and W.M.P(MD)Nos.13615 to 13617 of 2019

Infant Jesus College of Arts and Science For Women,
Rep. by its Secretary/Mother Superior,
Rev.Sr.Francin Nevis,
Mulagumoodu, Kanyakumari District. ... Petitioner

Vs.

1.The Executive Officer,
Mulagumoodu Town Panchayat,
Mulagumoodu,
Kanyakumari District.

2.Tmt.Uma,
The Executive Officer,
Mulagumoodu Town Panchayat,
Mulagumoodu,
Kanyakumari District. ... Respondents

PRAYER: Writ Petitions are filed under Article 226 of the Constitution of India praying for the issuance of writ of certiorarified mandamus to call for the records pertaining to the impugned demand notice dated 18.07.2019 on the file of the respondent No.1 and quash the same as illegal and consequently to forbear the respondents from levying property tax for the petitioner's College in the light of the Section 83(C) of the TamilNadu District Municipalities Act, 1920.

For Petitioner : Mr.S.Louis

For Respondents : Mr.M.Rajarajan
Government Advocate

ORDER

Mr.M.Rajarajan, learned Government Advocate files a memo dated 09.08.2019 to the following effect:

'The above writ petition had been filed holding the prayer of Writ of Certiorarified Mandamus to call for the records pertaining to the impugned demand notice dated 18.07.2019 on the file of the respondent No.1 and quash the same as illegal and consequently to



forbear the respondents from levying property tax for the petitioner's College in the light of the Section 83 (C) of the Tamil Nadu District Municipalities Act, 1920.

Wherein the Executive Officer who is the Respondent in the above writ petition had sent a communication vide Na.Ka.No.385/2019 dated 09.08.2019 stating that the earlier notice dated 18.07.2019 issued by him is hereby withdrawn, and the petitioner would be given a fresh demand notice with an opportunity to hear them and pass orders subsequently.

It is therefore prayed that this Hon'ble Court may be pleased to dispose of this writ petition by recording the above said undertaking from the respondents.

2. Recording the aforesaid, this writ petition is closed as nothing survives therein. Liberty is granted to the respondents to initiate fresh action in accordance with law. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar(CS)

To,
The Executive Officer,
Mulagumoodu Town Panchayat,
Mulagumoodu,
Kanyakumari District.

+1 CC to M/s.S.LOUIS, Advocate (SR-81134[F] dated 09/08/2019)

W.P(MD)No.17062 of 2019
and W.M.P(MD)Nos.13615 to 13617 of 2019
09.08.2019

CM
JMN(17.09.2019) 2P : 3C