

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.9793 of 2020

Lakshmi,
W/o.Lakshmanan.

...Petitioner

Vs.

1. The District Collector,
Namakkal District.
2. The Block Development Officer,
Mohanur Panchayat Union,
Mohanur, Namakkal District.
3. The Arasanatham Village Panchayat,
represented by its President,
Mohanur Panchayat Union,
Mohanur, Namakkal District.
4. Sarasu,
W/o.Subramani.

...Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, seeking Writ of Mandamus, directing the 2nd and 3rd respondents to issue house tax receipt to the petitioner based on her representations dated 03.06.2019 and 24.06.2019 given to the 2nd respondent and 1st respondent respectively.

For Petitioner : Mr.T.M.Madasamy
For Respondents : Mr.E.Balamurugan, for R1 to 3
Special Government Pleader.

O R D E R

This Writ Petition has been filed for issuance of Mandamus directing the 2nd and 3rd respondent to consider the representations made by the petitioner on 03.06.2019 and 24.06.2019 and assess the property and issue house tax receipt to the petitioner.

2.The case of the petitioner is that the subject property originally belonged to the father of the petitioner and after the death of her parents, the petitioner and the 4th respondent

are entitled for half share in the property. The 4th respondent is the sister of the petitioner. The petitioner filed a suit in O.S.No.261 of 2011 against the 4th respondent seeking for the relief of partition and separate possession of half share in the property. The suit was declared ex-parte by judgment and decree dated 03.09.2014.

3.The petitioner thereafter approached the 2nd respondent requesting for assessment of the property. It is the further case of the petitioner that the 3rd respondent attempted to put up a road in the property belonging to the petitioner and the petitioner was constrained to approach this Court by filing a writ petition, where directions were issued by this Court. According to the petitioner, this made the 3rd respondent more enemical against the petitioner and he refused to issue house tax receipt. The petitioner made repeated representations in this regard and the same was not considered. Therefore, the present writ petition has been filed before this Court seeking for appropriate directions.

4.Heard Mr.T.M.Madasamy, the learned counsel appearing on behalf of the petitioner and Mr.E.Balamurugan, learned Special Government Pleader, appearing on behalf of the respondents 1 to 3.

5.Taking into consideration the facts and circumstances of the case and the limited relief that has been sought for in the writ petition, there shall be a direction to the 2nd and 3rd respondents to consider the representations made by the petitioner on 03.06.2019 and 24.06.2019 and deal with the same strictly in accordance with law and pass appropriate orders within a period of six weeks from the date of receipt of copy of this order. The 2nd and 3rd respondents shall also issue notice to the 4th respondent before taking a final decision in the matter. The petitioner shall make a fresh representation to the 2nd and 3rd respondents along with all relevant documents and also a copy of this order.

6.This writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1.The District Collector,
Namakkal District.

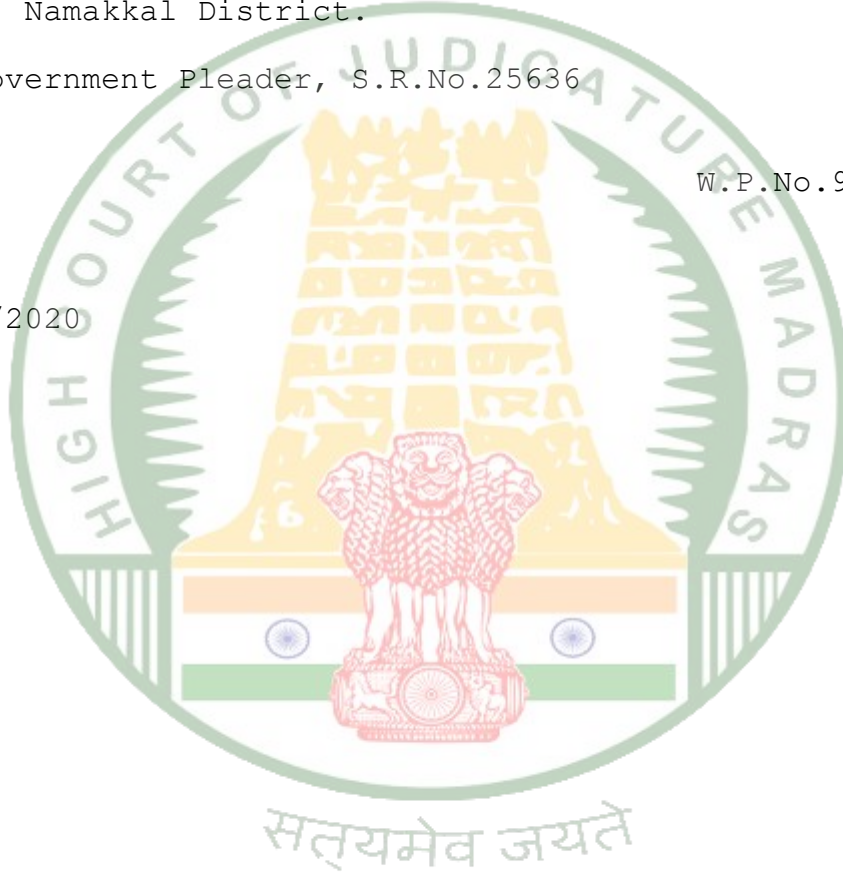
2.The Block Development Officer,
Mohanur Panchayat Union,
Mohanur, Namakkal District.

3.The President,
The Arasanatham Village Panchayat,
Mohanur Panchayat Union,
Mohanur, Namakkal District.

+1cc to Government Pleader, S.R.No.25636

W.P.No.9793 of 2020

VS (CO)
KKV/25/08/2020



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