

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.04.2021

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.27554 of 2009

M.P.No.1 of 2009

S.Aadhisheshappa

.. Petitioner

vs.

The Commissioner of Municipality,  
Hosur Municipality,  
Krishnagiri District.

.. Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorari to call for the records of the demand notice (from 2000 to 2009) issued by the respondent dated Nil and quash the same.

For petitioner : Mr.S.Lakshmanasamy

For Respondent : Mr.Raghavendran

O R D E R

The writ petition is filed challenging the demand notice issued by the respondent.

2. The impugned demand notice was issued for recovery of property tax for the years 2000-2001 to 2008-2009. The petitioner preferred an appeal and the appeal is pending before the Authority. However, the learned counsel for the petitioner made a submission at this length of time that the petitioner himself died on 01.12.2014. When the petitioner died on 01.12.2014, no steps are taken to implead the legal heirs for the past about 6 1/2 years. Further, the learned counsel appearing for the petitioner is unable to make a submission whether the appeal filed by the original petitioner was pursued or not. However, he made a submission that the appeal is not disposed of.

3. Under these circumstances, it is left open to the legal heirs to pursue the appeal which was filed by the petitioner before the Competent Authority. As far as the writ petitioner is concerned, the petitioner died on 01.12.2014 and no steps are taken thereafter for the past about 6 1/2 years, even the legal heirs are not impleaded. Therefore, no further relief can be granted.

4. Accordingly, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

ssb

To  
The Commissioner of Municipality,  
Hosur Municipality,  
Krishnagiri District.

+1 cc to M/s.R.Murali, Advocate, Advocate Sr.No. 23504

W.P.No.27554 of 2009

JP-II(CO)  
RMP(09/06/2021)

सत्यमेव जयते

WEB COPY