



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 5.7.2021

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.15572 of 2017

V.Rajendran
S/o.Veeramuthu,
Sengamedu Colony, Thalavai Post,
Sendurai Taluk, Ariyalur District.

...Petitioner

Vs

- 1.The District Collector,
Ariyalur
- 2.The Thalavai Panchayat Board
Rep. by its Secretary,
Sendurai Taluk, Ariyalur District
- 3.The Block Development Officer,
Sendurai Panchayat Union,
Sendurai, Ariyalur District.

...Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing in the respondents to receive the house tax for the Door No.8/122 New No.8/46D of Thalavai Panchayat Board and issue the receipt to the petitioner.

For Petitioner : Mr.S.Muthukrishnan

For Respondent No.1 & 2 : Mr.A.Selvendran, G.A.

For Respondent No.3 : Mr.D.Suriyanarayanan

O R D E R

The petitioner has filed the instant writ petition to direct the respondents to receive the house tax for Door No.8/122 New No.8/46D of Thalavai Panchayat Board and issue the receipt to the petitioner.

2. Counter affidavit has been filed by the third respondent Panchayat Union, wherein it is stated that the inhabitants of the village have protested against the



petitioner's possession contending that the subject property comprised in survey No.446/5 belongs to Ariyalur Vinayagar temple, the temple authorities along with village people one Mr.Rajendran and two others have given complaint before the District Collector, Ariyalur on 22.7.2016 for the above said complainant occupied in S.No.446/5 is belongs to Arulmigu Vinayagar temple as per the patta No.15 to the extent of 83.50 cents in Thalavi Village, Sendurai Taluk and they have produced 'A' register stands in the name of Arulmigu Vinayagar temple. Therefore, the petitioner has encroached the aforesaid temple land and consequently, assessment order was cancelled.

3. In view of the aforesaid stand taken in the counter affidavit that the subject matter of the property belongs to the temple, this Court cannot consider the petitioner's request by directing the authorities to receive house tax. Hence, the writ petition fails and the same is liable to be dismissed.

4. Accordingly, the writ petition stands dismissed. No costs.

Sd/-

Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

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To

- 1.The District Collector,
Ariyalur
- 2.The Secretary,
Thalavai Panchayat Board,
Sendurai Taluk, Ariyalur District.
- 3.The Block Development Officer,
Sendurai Panchayat Union,
Sendurai, Ariyalur District.

+1cc to the Government Pleader, S.R.No.31379

W.P.No.15572 of 2017

BS (CO)
RVM(30/07/2021)