



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.01.2021

CORAM:

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THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P. (MD)No.4073 of 2011

and

M.P. (MD)No.1 of 2011

M/s.Sundaram Textiles Pvt. Ltd.,
Lakshmi Buildings,
Usilampatti Road,
Kochadai, Madurai - 625 016,
Through its Manager (Operations),
N.Sundararajan

: Petitioner

Vs.

The Executive Officer,
Nanguneri Town Panchayat,
Nanguneri Taluk,
Tirunelveli District.

: Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for records of the respondent relating to his demand letter N.K.No.68/2010/A1, dated 28.04.2010 as licence fee for petitioner's building plan and quash the same as arbitrary, ultravires and consequentially direct the respondent to grant building plan permission within a specified time limit.

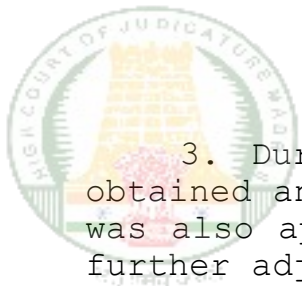
For Petitioner : Mr.V.Ramakrishnan

For Respondent : Mr.M.Rajarajan
Additional Government Pleader

ORDER

Heard the learned Counsel appearing on either side.

2. The writ petitioner has submitted a building plan for approval. The Deputy Director of Town and Country Planning granted permission vide proceedings dated 17.07.2009 and called upon the respondent / Panchayat to issue formal orders. But, while doing so, the respondent herein called upon the petitioner herein to pay a sum of Rs.6,09,077/-, towards vacant land tax. The same was challenged in this writ petition.



3. During the pendency of this writ petition, the petitioner obtained an interim mandatory injunction order and the building plan was also approved by the respondent. Therefore, nothing remains for further adjudication in this writ petition.

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4. At this stage, the learned Counsel appearing for the respondent stated that the respondent may be given liberty to raise the demand for payment of vacant land tax, which was originally raised by them. The said liberty is granted to the respondent. Of course, it is open to the petitioner to question the same, as and when the said demand is made. Thus, I make it clear that the contentions of both the parties, in this regard, are left open.

5. With the above observations, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Gk

TO:

The Executive Officer,
Nanguneri Town Panchayat,
Nanguneri Taluk,
Tirunelveli District.

+1 CC to M/s.V.RAMAKRISHNAN, Advocate (SR-715[F] dated 08/01/2021

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PU (CO)

NR (01/02/2021) 2P : 3C