



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.04.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.7908 of 2021

C.Ravinther

...Petitioner

Vs.

1. The District Collector,
Kanyakumari District, Nagercoil.
2. The Assistant Director (Village Panchayats),
Kanyakumari District, Collectorate Campus,
Nagercoil.
3. The Block Development Officer,
Kurunthencode Panchayat Union,
Kurunthencode and Post,
Kanyakumari District.
4. The Village Administrative Officer,
Kurundhencode "A" Village,
Kurundhencode and Post,
Kanyakumari District.
5. Mrs.Sheeba,
The President,
Nettancode Panchayat, Nettancode and Post,
Kanyakumari District.

... Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the fifth respondent to assess house tax to the new built first floor residential building of the petitioner in R.S.No.215/11 of Kurundhencode "A" Village in the name of Cheruppancode West Village and assign door number and also issue other receipts in the name of Cheruppancode West Village.

For Petitioner	: Mr.C.T.Perumal
For R-1, R-2 & R-4	: Mr.K.P.Narayanakumar Special Government Pleader
For R-3	: Mrs.M.Rajeswari Government Advocate



ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the fifth respondent to assess the house tax to the newly built first floor in the subject property and to assign a door number for the same by recognising it to fall under the jurisdiction of Cheruppancode West Village.

2. The case of the petitioner is that he is residing at Cheruppancode West Village, which was originally within the jurisdiction of the Thalakulam Panchayat. After the delimitation process, the western side of the Cheruppancode Village was brought within the jurisdiction of the fifth respondent Panchayat.

3. The petitioner had constructed a first floor in the subject property and had presented an application before the fifth respondent to assess the property for property tax through a representation dated 11.03.2020. The third respondent also through proceedings, dated 19.02.2021, directed the fifth respondent to act upon the representation made by the petitioner. Since there was no response, the present Writ Petition has been filed before this Court seeking for appropriate directions.

4. Heard Mr.C.T.Perumal, learned counsel appearing on behalf of the petitioner, Mr.K.P.Narayana Kumar, learned Special Government Pleader on behalf of the respondents 1, 2 and 4 and Mrs.M.Rajeswari, learned Government Advocate appearing on behalf of the third respondent.

5. The fifth respondent has been served with notice and the name has also been printed in the cause list and there is no representation either in person or through counsel.

6. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition and also directions already issued by the third respondent to the fifth respondent through proceedings dated 19.02.2021, there shall be a direction to the petitioner to make a fresh representation to the fifth respondent and the fifth respondent on receipt of the same, shall act upon the representation in line with the proceedings of the third respondent dated 19.02.2021 and assess the property tax after assigning a door number to the property constructed by the petitioner, within a period of four (04) weeks from the date of receipt of a copy of this order. The petitioner while making his representation to the fifth respondent shall also mark a copy of the same to the third respondent.



WEB COPY

W.P.(MD).No.7908 of 2021

7. This Writ Petition stands disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The District Collector,
Kanyakumari District, Nagercoil.
2. The Assistant Director (Village Panchayats),
Kanyakumari District, Collectorate Campus,
Nagercoil.
3. The Block Development Officer,
Kurunthencode Panchayat Union,
Kurunthencode and Post,
Kanyakumari District.
4. The Village Administrative Officer,
Kurundhencode "A" Village,
Kurundhencode and Post,
Kanyakumari District.

+1 CC to M/s.C.T.PERUMAL, Advocate (SR-17800[F] dated 28/04/2021)

+1 CC to M/s.SPL GP (SR-17960[F] dated 28/04/2021)

Order made in
W.P. (MD) .No.7908 of 2021

Dated:
27.04.2021

AS (09.06.2021) 3P 7C