



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.08.2021

CORAM

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P. (MD)No.14170 of 2021

1. S.Mohan
2. Sangeetha

... Petitioners

Vs.

1.The Assistant Director of Panchayats,
Thanjavur, Thanjavur District.

2.Ammapettai Panchayat Union,
Rep. by its Commissioner/
Block Development Officer,
Ammapettai, Thanjavur District.

3.Katharintham Panchayat,
Rep. by its President,
Katharinatham,
Thanjavur District.

4.Adaikalaraj.

... Respondents

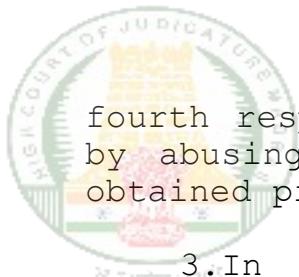
Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 2 and 3 to conduct enquiry based on the petitioner's representation dated 21.06.2021 and cancel the property tax assessment in the name of the fourth respondent for the shed constructed in S.No.483/4 of Thalavaipalayam Village, Papanasam Taluk, Thanjavur District within the time frame fixed by this Court.

For Petitioner : Mr.M.Saravanan
For Respondents : Mr.P.Subbaraj
for R1 to R3

O R D E R

The petitioners seek a direction to the respondents 2 and 3 to conduct an inquiry based on his representation dated 21.06.2021 in connection with the cancellation of the property tax assessment in the name of the fourth respondent for the shed in Survey No.483/4 of Thalavaipalayam Village, Papanasam Taluk, Thanjavur District.

2.The petitioners trace title to the property in question to a release deed dated 16.05.2007 and a subsequent settlement deed dated 15.12.2014. The patta issued in relation to such property in the name of the first petitioner is also cited to corroborate the petitioner's title and possession thereof. It is stated that the



fourth respondent was permitted to occupy a small portion and that by abusing such permissive occupation, the fourth respondent has obtained property tax card in his name.

3.In these circumstances, the petitioner submitted a representation to the second respondent herein on 21.06.2021 and seeks an expeditious inquiry in relation thereto.

4.Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of respondents 1 to 3.

5.In view of the nature of the order proposed to be passed notice to the fourth respondent is dispensed with.

6.The question as to whether the fourth respondent is entitled to be a property tax assessee should be determined by the respondents 2 and 3 by examining the relevant documents and by applying the rules and regulations thereto. The fourth respondent is also not before the Court at this point of time and therefore, no view is expressed on the merits of the matter. Nevertheless, the respondents 2 and 3 should dispose of the petitioner's representation by conducting and concluding an inquiry expeditiously.

7.Accordingly, without going into the merits of the matter, the respondents 2 and 3 herein is directed to conduct and conclude an inquiry on the basis of the petitioner's representation dated 21.06.2021 by providing a reasonable opportunity to the petitioners, the fourth respondent herein and any other person who would be affected by the outcome of such inquiry. Such inquiry shall be concluded within a period of thirty (30) days from the date of receipt of a copy of this order.

8.W.P(MD).No.14170 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (T & P)

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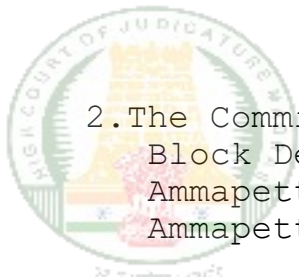
/ /2021

Sub Assistant Registrar(CS)

To:

1.The Assistant Director of Panchayats,
Thanjavur,
Thanjavur District.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Commissioner/
Block Development Officer,
Ammapettai Panchayat Union,
Ammapettai, Thanjavur District.

3.The President,
Katharintham Panchayat,
Katharinatham,
Thanjavur District.

+1 CC to M/s.R.SUBRAMANIAN, Advocate (SR-26256[F] dated
13/08/2021)

W.P. (MD) No.14170 of 2021

12.08.2021

RS (20.09.2021) 3P 5C