



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.27574 of 2021

Dr.S.Sankaravadivel

...Petitioner

-Vs-

1. The Commissioner,
Bahour Commune Panchayat,
Bahour Commune Panchayat Office,
Bahour, Puducherry - 607 402.

2. The Director
Local Administration Department,
No.16, Rue Suffren,
Puducherry - 605 001.

...Respondents

Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the first respondent to fix the property tax and to give water connection to petitioners house property at Puducherry Registration District Bahour Sub Registry Pillyarkuppam Village Bahour Commune a layout promoted as LA FRANCE VILLA in bearing RS No. 110 / 2 Plot totally measuring 6480 sq ft in Plot No. 459- ADELA based on the petitioner's application dated on 04.12.2014 and representation dated 28.08.2021 within the time limit fixed

For Petitioner : Mr.Senthamil Selvan

For Respondents : No appearance

O R D E R

The prayer sought for herein is for a writ of Mandamus, directing the first respondent to fix the property tax and to give water connection to petitioners house property at Puducherry Registration District Bahour Sub Registry Pillyarkuppam Village Bahour Commune, a layout promoted as LA FRANCE VILLA in bearing RS No. 110 / 2 Plot totally measuring 6480 sq ft in Plot No. 459- ADELA based on the petitioner's



application dated on 04.12.2014 and representation dated 28.08.2021 within the time limit fixed.

2.It is claimed by the petitioner that the petitioner has developed a property at Pillaiyarkuppam Village, Bahour Commune, a layout promoted by LA FRANCE VILLA in R.S.No.110/2 with an extent of 6480 sq.ft.

3.Though this was promoted sometime in 2012 where the building has been constructed, the grievance of the petitioner is that, so far the local authorities, i.e. the respondents herein have not assessed the property for the purpose of levying property tax which resulted in the water connection not being given so far to the petitioner's property.

4.Therefore, in order to assess the property for property tax assessment and to extend the water connection to the petitioner's property, the petitioner has given representation to the respondents on 04.12.2014 and again on 28.08.2021.

5.Since those representations also have not been considered for several years, the petitioner has approached this Court by filing the present writ petition.

6.Heard Mr.S.Senthamil Selvan, learned counsel appearing for the petitioner, who has reiterated the aforesaid and would seek indulgence of this Court to give suitable direction by way of Mandamus.

7.When this writ petition came up for hearing on 03.01.2022, Mr.D.Jearany, learned Government Advocate [Puducherry] had taken notice on behalf of the respondents and she wanted a weeks time to get instructions. Therefore, this writ petition was directed to be listed on 10.01.2022.

8.However, on 10.01.2022 when the case was called, only the petitioner's counsel was present and there was no representation on behalf of the respondents.

9.Recording the said development, this Court further directed this matter to be listed today [19.01.2022].

10.Today also, when the case is taken up for hearing, there is no representation on behalf of the respondents.

11.I have considered the said submission made by the learned counsel for the petitioner in support of his case and have perused the materials placed before this Court.



12.The petitioner has given representation as early as in the year 2014 itself and again had given representation recently on 28.08.2021 with regard to the grievance of the petitioner to get the property of the petitioner assessed for property tax and consequentially to give water connection to the petitioner's property. However, since the said representations have not been considered and have been kept pending all along, this Court feel that a direction can be given to the respondents to consider those representations within a time frame and pass orders thereon.

13.In that view of the matter, there shall be a direction to the first respondent to consider the representations of the petitioner dated 04.12.2014 and 28.08.2021 respectively and pass orders thereon, on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order.

14.With this direction, the writ petition is disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

cse

To

1. The Commissioner,
Bahour Commune Panchayat,
Bahour Commune Panchayat Office,
Bahour, Puducherry - 607 402.
2. The Director
Local Administration Department,
No.16, Rue Suffren,
Puducherry - 605 001.

W.P.No.27574 of 2021

RR (CO)
PR (25/02/2022)