



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **11.04.2022**

CORAM:

THE HONOURABLE MR.JUSTICE **C.SARAVANAN**

W.P. (MD) No.2762 of 2012

and

M.P. (MD) Nos.1 to 3 of 2012

WEB COPY

Palani Town Muslim Dharma Paripalana Sangam,
represented by its Executive Officer,
T.O.P.Thariq,
Palani,
Dindigul District.

... Petitioner

/vs./

1.The Director,
Directorate of Municipal Administration and
Water Supply, Ezhilagam,
Chepauk, Chennai.

2.The Commissioner,
Palani Municipality,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records relating to impugned attachment Notice vide Na.Ka.No.3359/2006/A2, dated 07-12-2011 and consequential Demand Notice dated 01-02-2012 issued by the second Respondent and all other consequential proceedings in respect of the enhanced property tax for the shops situated at Gandhi Road, Solaimedu Road and Subramaniapuram Road, Palani owned by the petitioner Wakf and quash the same and consequently direct the second respondent to re-assess the property tax, after giving reasonable opportunity to the Petitioner.

For Petitioner : Mr.D.Shanmugaraja Sethupathi

For R1 : Mr.P.T.Thiraviam
Government Advocate

For R2 : Mr.P.Srinivas

ORDER

The petitioner has filed this writ petition for a Certiorarified Mandamus to call for the records relating to impugned attachment notice vide Na.Ka.No.3359/2006/A2, dated 07.12.2011 and the consequential demand notice dated 01.02.2012 issued by the 2nd respondent and all other consequential proceedings in respect of the enhanced property tax for the shops situated at Gandhi Road,



Solaimedu Road and Subramaniapuram Road, Palani owned by the petitioner Wakf, to quash the same and to direct the 2nd respondent to reassess the property tax, after giving reasonable opportunity to the petitioner.

2.The petitioner appears to have filed earlier a writ petition in W.P.(MD) No.3063 of 2009, wherein a similar relief that was sought for was for a Writ of Mandamus to forbear the respondents 3 and 4 from demanding or collecting the revised property tax from the petitioner Sangam in respect of the properties set out in the annexure therein with effect from 01.04.2008 without adhering to the guidelines and circular issued by the 2nd respondent pursuant to G.O.Ms.No.150, Municipal Administration and Water Supply (Elec) Department, dated 12.11.2007 r/w Section 82 and Schedule IV of the Tamil Nadu District Municipalities Act, 1920.

3.The present writ petition has been filed seeking to quash the impugned attachment notice dated 07.12.2011 and the consequential demand notice dated 01.02.2012 issued by the 2nd respondent herein, namely, the Commissioner, Palani Municipality, Dindigul District. The petitioner having failed to get any relief in W.P.(MD) No.3063 of 2009 cannot challenge the consequential attachment order, which is impugned in the present writ petition. There is no merits in this writ petition.

4.The writ petition stands dismissed, in terms of the above observations. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (Writs)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1.The Director,
Directorate of Municipal Administration and
Water Supply, Ezhilagam,
Chepauk, Chennai.

2.The Executive Officer,
Palani Town Muslim Dharma Paripalana Sangam,
T.O.P.Thariq,
Palani,
Dindigul District.

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



3.The Commissioner,
Palani Municipality,
Dindigul District.

+1 CC to M/s.D. SHANMUGARAJA SETHUPATHI, Advocate (SR-18009[F]
dated 12/04/2022)

+1 CC to M/s.SPL.GP. (SR-18127[F] dated 12/04/2022)

+1 CC to M/s.P. SRINIVAS, Advocate (SR-18543[F] dated 13/04/2022)

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11.04.2022

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