



W.P.(MD)No.4560 of 2013

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.07.2022**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.4560 of 2013

and

W.M.P.(MD)No.13557 of 2017

and

M.P.(MD)No.1 of 2013

Y.Abdul Raheem

... Petitioner

Vs.

1.The State of Tamil Nadu
represented by its Secretary to Government,
Local Administration & Panchayatraj Department,
Fort St. George,
Chennai – 600 009.

2.The Executive Officer,
First Grade Panchayat,
Ervadi – 627 103,
Tirunelveli District.

3.K.A.Meerasahib

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the second



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respondent dated 27.02.2013 in his order No.Na.Ka.No.118/2012/A1 and quash the same and to direct the second respondent to afforded opportunity to file objection and personal hearing with respect to the transfer of the property tax bearing Door No.153/71, Seventh Street, Earvadi, Tirunelveli District.

For Petitioner : Mr.Vadivelu

For Respondents : Mr.S.Shanmugavel
Additional Government Pleader for R1
Mr.V.Meenakshi Sundaram
for Mr.D.Nallathambi for R3
No appearance for R2

ORDER

The present writ petition has been filed challenging the transfer of property tax assessment standing in the name of the writ petitioner to the name of the third respondent herein.

2. Admittedly, the property tax assessment was originally standing in the name of the writ petitioner's mother. Without issuing notice to the writ petitioner or his mother, the property tax assessment has been transferred in the name of the third respondent herein by way of



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impugned order. Since the impugned order has been passed without notice to the affected party, the impugned order is set aside.

3. According to the learned Counsel for the third respondent herein, now she has gifted the property in favour of her daughter, namely, Malliga Banu. The learned Counsel for the second respondent submits that the petitioner has also passed away. The second respondent is directed to issue notice to the legal heirs of the writ petitioner and the said Malliga Banu and pass orders after hearing both of them. The said exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.

4. With the above said observations, the Writ Petition stands allowed. No costs. Consequently, connected miscellaneous petitions are closed.

21.07.2022

Index : Yes / No
Internet : Yes / No
jbr

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R.VIJAYAKUMAR ,J.

jbr

To

- 1.The Secretary to Government,
Local Administration & Panchayatraj Department,
Fort St. George,
Chennai – 600 009.
- 2.The Executive Officer,
First Grade Panchayat,
Ervadi – 627 103,
Tirunelveli District.

Order made in
W.P.(MD)No.4560 of 2013

21.07.2022