



WEB COPY

W.P(MD).No.16680 of 202



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.11.2022

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P(MD).No.16680 of 2022

and

W.M.P(MD).No.12103 of 2022

S.Sivarasu

... Petitioner

Vs.

1.The Block Development Officer,
O/o.Block Development Office,
Thoppampatti Panchayat Union,
Palani Taluk,
Dindigul District.

2.The Executive Officer/The President,
Vilvathampatti Village Panchayath,
Palani Taluk,
Dindigul District.

3.P.Muthukumar

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the proceedings of the President of the Vilvathampatti Village in respect of property tax number 1/94A dated, 07.07.2021 for the building situate at Survey Number 143, Vilvathampatti Village, Palani Taluk, Dindigul District and quash the same and consequently direct the Respondents 1 and 2 grant necessary permission to the Petitioner based on his representation, dated 20.07.2022.



For Petitioner : Mr.S.Siva Thilakar
For R1 : Mr.V.Om Prakash
Government Advocate
For R2 : Mr.C.Satheesh
Government Advocate
For R3 : Mr.D.Venkatesh

ORDER

This writ petition is filed challenging the impugned order, dated 07.07.2021, whereby, the Property Tax Receipt was cancelled on the premise that Petitioner was running flour mill using 25HP power engines without obtaining prior permission from the District Environment Officer.

2. It is submitted by the learned counsel for the Petitioner that the impugned order has been made even without putting the Petitioner on notice.

3. It is submitted by the learned counsel for the Respondents that fresh notice will be issued and orders would be passed after hearing the Petitioner.

4. Recording the above submission, the impugned order, dated 07.07.2021 is set aside. The concerned Respondent is directed to issue fresh notice to the Petitioner and pass orders on merits and in accordance with law after affording reasonable opportunity to the Petitioner. The writ petition



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stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

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Index : Yes / No
Internet : Yes/ No
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2.The Executive Officer/The President,
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MOHAMMED SHAFFIQ, J.

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