



W.P(MD).No.18405 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 16.08.2022

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

W.P(MD).No.18405 of 2022

Thiruvadthurai Aathinam,
Through its Inspector,
M.Veerananthan.

... Petitioner

Vs.

- 1.The Panchayat President,
Sembikulam,
Avaraikulam Union Panchayat,
Radhapuram Taluk,
Tirunelveli District.
- 2.The Block Development Officer,
Valliyoor Panchayat Union Office,
Tirunelveli,
Tirunelveli District.
- 3.The Deputy Director (Panchayat)
Collectorate Complex,
Tirunelveli,
Tirunelveli District.
- 4.Syed Aji Ali Pathu

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 2 and 3 to cancel the fraudulent tax receipt issued in Receipt No.5066, dated 18.06.2022 fraudulently for the property situated in Survey No.1580 3B6B,



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bearing Door No.9/46D Sembikulam Village, Rathapuram Taluk, Tirunelveli District.

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For Petitioner : Mr.K.A.Raamakrishnan
For Mr.R.Sidharthan
For R1 & R2 : Mr.C.Satheesh
Government Advocate
For R3 : Mr.P.Subbaraj
Special Government Pleader

ORDER

The contention of the petitioner is that the athinam property is situated in Survey No.1580 3B6B, Sembikulam Village, Avarikulam Unilon Selection Grade Panchayat. The Athinam for the welfare of the people used to lease out land for longer period to make out a dwelling house and permit the Union Panchayat to allot a Door No.9/46D for a constructed house. During the Month of May 2022, the petitioner came to know that the first respondent colluded with the fourth respondent without obtaining no objection certificate from the petitioner, transferred the name of the allottee to the third person for the tax assessment for Door No.9/46D, Sembikulam, Radhapuram Taluk, Tirunelveli District. Hence, the petitioner sent a representation to the respondents on 12.07.2022.



2. The learned Government Advocate for the respondents 1 and 2 submits that, on verification, it was found that the petitioner had given lease to one Jahira Banu W/o.Jafar Ali. Thereafter, the property was assessed and tax was registered in the name of Jahira Banu. On the representation of the petitioner, the records were verified and it was found that property has been assessed and receipt has been registered in the name of Syedd Aji Ali Pathu. Later, the mistake was found. The second respondent in his proceedings in Na.ka.No.Aa3/4879/2021, dated 12.08.2022 cancelled the property tax assessment receipt in the name of Syedd Aji Ali Pathu. The cancelled receipts are as follows:

thpir vz;	toq;fg;gl;l tPl;Lj; jPh;it vz;/ ehs;	இரத்து செய்த தேதி
1	6273/24.09.2020	12.08.2022
2	8309/26.04.2021	12.08.2022
3	5066/18.06.2022	12.08.2022

3. The learned Government Advocate for the respondents 1 and 2 submits that the petitioner's representation has been considered and tax assessment was cancelled. He further submitted that they would ensure that appropriate action to be taken against the person, who without any authority has raised property tax assessmnet in the name of the third person.



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4. The learned Special Government Pleader for the third respondent submitted that since the specific complaint has been made against the Sivaparsa Alagar, Panchayat President and Selva Lakshmi, Tax Collector, appropriate action should be taken against them.

5. The writ petition stands disposed of. No costs.

16.08.2022

Index : Yes / No

Internet : Yes/ No

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M.NIRMAL KUMAR, J.

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