



W.P(MD)No.7164 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: **02.12.2022**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.7164 of 2015

and

M.P(MD)Nos.1 & 2 of 2015

Arulmigu Veerasaivam @ Veerasastha Thirukovil,
Represented by its Fit Person,
Veeravanallur, Ambasamudram Taluk,
Tirunelveli District.

... Petitioner

Vs.

1.The Assistant Director of Town Panchayat,
Tirunelveli Region,
Collector's Office,
Tirunelveli.

2.The Executive Officer,
Veeravanallur Town Panchayat,
Veeravanallur, Tirunelveli.

3.The Selection Grade Town Panchayat Council,
Veeravanallur, Through its President,
Tirunelveli District.

... 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 of the impugned resolution No.500 of the third



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respondent, dated 11.02.2015 and quash the same and consequently forbear the respondents 1 to 3 from approving any lay-out, granting building plan approval or levying tax in respect of the buildings unauthorisedly constructed in the land belonging to the petitioner in S.Nos.585/1, 585/2, 587, 593/1,2, 594/1,5,7, 595/1-22, 596/1-4, 6-11, 597/1,2, 598, 599/1A-1W, 599/2A-2J, 600/1-11, 601/1-11, 602/1-14, 603/1-15, 604/1-8, 605/1-16, 606/1,2, 608, 609, 610/2, 612, 613/1B1 and 614/1-15, in Ward No.10, Bharathi Nagar, Veeravanallur, Tirunelveli District.

For Petitioner : M/s.K.Esakki

For R-1 : M/s.P.Thilak Kumar
Government Pleader
Assisted by
M/s.B.Saravanan
Additional Government Pleader

For R-2 : M/s.Aayiram K.Selvakumar

For R-3 : No appearance

ORDER

The present Writ Petition has been filed by the Temple, challenging resolution passed by the local body proposing to give electricity service connection and to assess property tax with regard to the land allegedly belonging to the petitioner's Temple. This Court by an order, dated 09.04.2013, in W.P(MD)No.8256 of 2007 has directed the



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Temple to give a representation to the first respondent herein, so that, he can decide about the ownership of the survey numbers in dispute.

Pursuant to the orders passed by this Court, the petitioner Temple has also sent a representation to the first respondent herein on 15.03.2014.

Though this Court has directed the first respondent herein to dispose of the same, so far no orders have been passed by the first respondent herein. In view of the non passing of orders of the first respondent herein, the local authority, namely, the second respondent has passed a resolution to proceed further to assess the buildings for property tax, grant building plan approval for the lands allegedly belonging to the writ petitioner Temple.

2. In view of the above said facts, this Court had directed the first respondent to appear in person and he had appeared in person and was represented through the learned Government Pleader.

3. The learned Government Pleader submits that the first respondent will pass orders on or before 31.12.2022 and it will be communicated the same to the second and third respondents and also he



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concerned Sub Registrar about the result of the enquiry. However, till such time, the second and third respondents shall not proceed further pursuant to their resolution No.500, dated 11.02.2015.

4. With the above said observation, the writ petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions stand closed.

02.12.2022

Index : Yes / No
Internet : Yes / No
btr

To

- 1.The Assistant Director of Town Panchayat,
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- 2.The Executive Officer,
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- 3.The Selection Grade Town Panchayat Council,
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R.VIJAYAKUMAR, J.

btr

Order made in
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02.12.2022