



WEB COPY

W.P.No.23589 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.23589 of 2009

and

M.P.No.1 of 2009

S.Bharathy

... Petitioner

Vs.

1.The District Collector,
Dharmapuri District,
Dharmapuri.

2.The Tahsildar,
Pappireddypatty Taluk,
Dharmapuri District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari, calling for records on the file of the respondents relating to the impugned notice issued by the second respondent in Na.Ka.873/2009 (A5) dated Nil. 08.2009 and quash the same.

For Petitioner

: Mr.R.Saravanan
For Mr.T.Sai Krishnan

For Respondents

: Mr.T.Arun Kumar
Additional Government Pleader



WEB COPY

W.P.No.23589 of



ORDER

The notice issued by the 2nd respondent in August 2009 directing the petitioner to pay licensing fee of Rs.5000/- is under challenge in the present writ petition.

2. The petitioner had constructed a marriage hall at Pappireddypatty, Dharmapuri District. The petitioner obtained all requisite permissions and building plan approvals from the competent authorities. He has been running the marriage hall for several years and the building is assessed to property tax, which is being paid regularly by the petitioner. The 2nd respondent / Tahsildar issued a notice to pay the Licensing Fee under the provisions of the Tamil Nadu Public Buildings (licensing) Act, 1965 and the Tamil Nadu Public Buildings (licensing) Rules, 1966. In exercise of the powers conferred under the Tamil Nadu Act 13 of 1965 Rules were framed and as per the amended Rules, the petitioner is bound to pay a sum of Rs.5000/- towards for his marriage hall.

3. The learned Additional Government Pleader appearing on behalf of the respondents furnished a copy of the Government order issued in



W.P.No.23589 of

G.O.Ms.No.38, Municipal Administration and Water Supply (MA4)

Department dated 02.02.1999, wherein, Rules were amended and accordingly, a sum of Rs.5000/- is prescribed towards Licensing Fee. On account of efflux of time, the learned counsel for the petitioner is unable to submit, whether the payment has been already made by the petitioner or not.

4. That being the factum, the petitioner is directed to pay the licensing fee to the competent authorities within a period of four (4) weeks from the date of receipt of a copy of this order, if not already paid. In the event of failure, the authorities competent shall initiate all appropriate actions by following the procedures as contemplated under law.

5. With the above directions, the Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

07.03.2023

Jeni
Index : Yes
Speaking order
Neutral Citation : Yes



To

1. The District Collector,
Dharmapuri District,
Dharmapuri.

2. The Tahsildar,
Pappireddypatty Taluk,
Dharmapuri District.



W.P.No.23589 of



WEB COPY



W.P.No.23589 of

S.M.SUBRAMANIAM, J.

Jeni

W.P.No.23589 of 2009

07.03.2023