



W.P.No.30681 of 2008

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.07.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P.No.30681 of 2008

PGP Educational & Welfare Society
Its Registered Office at "PGP Office"
No.57, Sterling Road, Nungambakkam
Chennai 600 034

Rep. by its Secretary K.Kandasamy.

.. Petitioner

Vs.

1. State of Tamil Nadu
Rep. by its Secretary
Rural Development & Panchayat Raj Department
Fort St. George, Chennai.

2. The Taluk Development Officer
(Village Panchayats)
Paramathi Taluk, Namakkal.

3. The Panchayat President
Pillaikalathur Panchayat
Paramathi Taluk, Namakkal.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India
seeking a writ of Declaration declaring the amendments to Tamil Nadu



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Village Panchayats (Assessment and Collections of Taxes) Rules, 1999 vide G.O.(Ms.) No.38, Rural Development and Panchayat Raj (PRJ) dated 5th March 2008, notified vide SRO No.A-7, (a)/2008 dated 05.03.2008 inserting a proviso after the second proviso namely "Provided also that the buildings used for educational purposes by Government aided institutions for conducting self-financing unaided courses shall be subject to levy of house tax" as illegal, arbitrary, ultra vires and unenforceable under Articles 14 and 265 of the Constitution of India.

For the Petitioner : No appearance

For the Respondents : Mrs.R.Anitha
Special Government Pleader

ORDER

(Made by the Hon'ble Chief Justice)

The matter was called out on 20.06.2023. On the said date, none appeared for the petitioner. The matter was adjourned today.

2. Today also, when the matter is called out, none appears for the petitioner.

3. As none appears for the petitioner, the writ petition is



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dismissed for non-prosecution. There will be no order as to costs.

Consequently, M.P.Nos.1 and 2 of 2008 are also dismissed.

(S.V.G., C.J.)

(P.D.A., J.)

26.07.2023

Index : Yes/No

Neutral Citation : Yes/No

kpl

To

1. The Secretary
Rural Development & Panchayat Raj Department
Fort St. George, Chennai.
2. The Taluk Development Officer
(Village Panchayats)
Paramathi Taluk, Namakkal.
3. The Panchayat President
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Paramathi Taluk, Namakkal.



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