



W.P.Nos.36110 of 2005
& 1828 of 2010

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.06.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P.Nos.36110 of 2005 & 1828 of 2010

M.V.Marudachalam	..	Petitioner in W.P.No.36110 of 2005
M/s.Annai Builders Real Estates Pvt. Ltd.		
Rep. by its Managing Director		
No.76, Medavakkam Main Road		Petitioner in
Madipakkam, Chennai 600 091.	..	W.P.No.1828 of 2010

Vs.

1. Government of Tamil Nadu
Rep. by Secretary to Government
Revenue Department, Fort St. George
Chennai 600 009.
2. Secretary to Government
Government of Tamil Nadu
Municipal Administration and
Water Supply Department
Fort St. George, Chennai 600 009.
3. Director of Municipal Administration
Chepauk, Chennai 600 005.

Page 1 of 6



W.P.Nos.36110 of 2005
& 1828 of 2010

WEB COPY

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| 4. Commissioner
Tiruchirapalli City Municipal Administration
Tiruchirapalli. | |
| 5. The Assistant Commissioner
K.Abishekapuram
Trichy Municipal Corporation
Trichy. | Respondents in
W.P.No.36110 of 2005 |
| 1. Government of Tamil Nadu
Rep. by Secretary to Government
Revenue Department, Fort St. George
Chennai 600 009. | .. |
| 2. Secretary to Government
Government of Tamil Nadu
Municipal Administration and
Water Supply Department
Fort St. George, Chennai 600 009. | |
| 3. The Commissioner
Tiruvottiyur Municipality
Tiruvottiyur, Chennai 600 019. | Respondents in
W.P.No.1828 of 2010 |

Prayer in W.P.No.36110 of 2005: Petition filed under Article 226 of the Constitution of India seeking a writ of declaration, declaring Section 121(4)(a) of the Tiruchirapalli City Municipal Corporation Act and the consequential Notification of the fourth respondent dated 23.09.1994 published in the Trichy Gazette as unconstitutional, ultra vires, illegal and void;



W.P.Nos.36110 of 2005
& 1828 of 2010

WEB COPY

Prayer in W.P.No.1828 of 2010: Petition filed under Article 226 of the Constitution of India seeking a writ of declaration, declaring Section 81(3)(A) of the Tamil Nadu District Municipalities Act, 1920 and the consequential demand of the third respondent herein for vacant site tax in respect of the petitioner's property measuring an extent of 51,555 sq.ft. Comprised in Survey Nos.168/10A2, 169/1 and 169/2 in T.s.No.112 Part and 115, Ward 'C', Block No.15 of Ernavoor Village, Ambattur Taluk, Tiruvellore District, under Notice of demand in Na.Ka.No.11534/05/F1 dated 10.12.2007 as unconstitutional, ultra vires, illegal and void.

For the Petitioners : No Appearance
in both W.Ps

For the Respondents in : Mr.K.Karthick Jeganath
W.P.No.36110 of 2005 Government Advocate
for R1 to R3

Mr.P.Srinivas
for R4 & R5

For the Respondents in : Mr.K.Karthick Jeganath
W.P.No.1828 of 2010 Government Advocate
for R1 & R2

Mr.P.Srinivas
for R3



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W.P.Nos.36110 of 2005
& 1828 of 2010

COMMON ORDER
(Made by the Hon'ble Chief Justice)

None appears for the petitioners in both writ petitions.

2. Learned Government Advocate submits that the provisions under challenge now stand repealed in view of the new Act.

3. In the light of that, these writ petitions stands disposed of. There will be no order as to costs. Consequently, W.P.M.P.Nos.38959 & 38960 of 2005 are closed.

(S.V.G., CJ.)

(P.D.A., J.)

26.06.2023

Index : Yes/No
Neutral Citation : Yes/No

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& 1828 of 2010

WEB COPY

To

1. The Secretary to Government
Government of Tamil Nadu
Revenue Department, Fort St. George
Chennai 600 009.
2. Secretary to Government
Government of Tamil Nadu
Municipal Administration and
Water Supply Department
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3. Director of Municipal Administration
Chepauk, Chennai 600 005.
4. Commissioner
Tiruchirapalli City Municipal Administration
Tiruchirapalli.
5. The Assistant Commissioner
K.Abishekapuram
Trichy Municipal Corporation
Trichy.
6. The Commissioner
Tiruvottiyur Municipality
Tiruvottiyur, Chennai 600 019.



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THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKESAVALU, J.

(drm)

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