



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2023

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.18493 of 2023

The President
Thodukadu Panchayat
Kadambathur Panchayat Union
Thiruvallur District 602 105

... Petitioner

vs.

- 1 The District Collector of Thiruvallur
(Inspector of Panchayat)
Thiruvallur District.
- 2 The Commissioner
Kadambathur Panchayat Union
Thiruvallur District
- 3 The Assistant Director Panchayat
Thiruvallur

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the 1st Respondent to appoint a competent Revenue Recovery Officer for collect Property tax and other fees from the 26 reputed industries and other



industries mentioned in the annexure under the provision of Section 177 of Tamil Nadu Panchayat Act 1994 or take necessary steps against the said defaulter under Revenue Recovery Act.

For Petitioner : Mr.V.S.Suresh
For Respondents : Ms.S.Mythreye Chandru for R1
Special Government Pleader
Mr.N.R.R.Arun Natarajan for R2 & R3
Special Government Pleader

ORDER

This writ petition has been filed by the President of Thodukdu Panchayat, Thiruvallur District, seeking for the issue of writ of mandamus directing the 1st respondent to take action to recover the property tax dues from the industries which are operating within the jurisdiction of the Panchayat.

2. Heard Mr.V.S.Suresh, learned counsel for the petitioner and Ms.S.Mythreye Chandru, learned Special Government Pleader for 1st respondent and Mr.N.R.R.Arun Natarajan, learned counsel for respondents 2 and 3.



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3. When the matter was taken up for hearing, the learned Special Government Pleader appearing on behalf of the 1st respondent submitted that notice was issued to nearly 26 industries directing them to settle the entire property tax dues. On receipt of the notice, they had sought for some time to pay the dues and thereafter, there was no response and hence, the 1st respondent through proceedings dated 06.04.2023 has directed the concerned authorities to conduct an enquiry and to submit a report within a period of 10 days for taking further action.

4. The learned counsel for the petitioner also brought to the notice of this Court that the 1st respondent through letter dated 13.04.2023 had directed the Block Development Officer to take necessary action for the recovery of the property tax dues.

5. In the considered view of this Court, already steps have been taken to recover the property tax dues from the industries and sufficient time has also been given. If ultimately the



industries to whom the notices have already been sent, failed to pay the tax, it is left open to the 1st respondent to proceed further and take action in accordance with law. The income to the panchayat is mainly through the tax that is collected and if the industries did not pay the tax, it will adversely affect the very functioning of the panchayat. Hence, immediate action shall be taken for the recovery of the property tax dues and in default, to take action in accordance with law.

6. This writ petition is disposed of with the above directions. No costs.

23.06.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No

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To

- 1 The District Collector of Thiruvallur
(Inspector of Panchayat)
Thiruvallur District.
- 2 The Commissioner
Kadambathur Panchayat Union
Thiruvallur District
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Thiruvallur



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N. ANAND VENKATESH, J.
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