



W.P.No.25978 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.09.2023

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.25978 of 2023

R.Sankaran

... Petitioner

Vs

1. The State of Tamil Nadu,
Represented by its Secretary
Municipality Administration and Water
Supply Department,
Secretariat, Fort St.George,
Chennai – 600 009.

2. The Commissioner,
Maraimalai Nagar Municipality,
No.2, Adigalar Salai,
Near BP Petrol Bunk,
Maraimalai Nagar,
Chennai – 603 209.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the second respondent to consider the petitioner's representation dated 03.08.2023 pass order and consequently to forbear the second respondent from collecting the Property Tax from the Petitioner, except by due process of law by



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applying the provisions of the amended Tamil Nadu District Municipality Act, 1920 and rules formed thereunder.

For Petitioner : Mr.R.Manibarathi

For Respondents : Mr.M.Rajendran,
Additional Government Pleader

ORDER

Mr.M.Rajendran, learned Additional Government Pleader takes notice on behalf of the respondents.

2. Although the petitioner has filed this writ petition for a writ of Mandamus to consider and pass orders on the petitioner's representation dated 03.08.2023, the record indicates that the petitioner has received demand notice from 2018 and the amount has been steadily increasing, as petitioner appears to be in default. There is no scope for directing the respondents to consider the representation of the petitioner, as the demand has been already confirmed.



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3. The only option available to the petitioner is to file a Statutory Appeal before the Appellate Authority/forum prescribed under the Tamil Nadu District Municipality Act, 1920 and rules made thereunder.

4. The writ petition is therefore disposed of by permitting the petitioner to file a Statutory Appeal within a period of thirty days from the date of receipt of a copy of this order. The Appellate Authority shall dispose the same on merit and in accordance with law in its turn. No costs.

05.09.2023

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

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Municipality Administration and Water
Supply Department,
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Chennai – 600 009.
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C.SARAVANAN, J.

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