



W.P.No.25905 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :05.09.2023

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.25905 of 2023

Jeyamani

...Petitioner

Vs.

1. The Assistant Director of Rural Panchayat,
Erode,
Erode District.

2. The District Collector,
Erode,
Erode District.

3. The Block Development Officer,
Panchayat Union Office,
Modakurichi,
Erode.

4. The President,
Kagam Village Panchayat,
Modakurichi Taluk,
Erode.

...Respondents



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WEB COURT

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the third respondent to complete the enquiry and submit the report to the first respondent as directed by the order of the first respondent in his office memorandum in Na.Ka.number 40/2023/A5 dated 15.06.2023 within a time frame as may be fixed by this Court.

For Petitioner : Mr.A.Nileshram
for M/s.K.M.Vijayan Associates.

For Respondents
R1 & R2 : Mrs.S.Anitha
Special Government Pleader
R3 & R4 : Mr.M.Shahjahan
Special Government Pleader

ORDER

Mrs.S.Anitha, learned Special Government Pleader takes notice for the respondents 1 & 2. Mr.M.Shahjahan, learned Special Government Pleader takes notice for the respondents 3 & 4.

2.The petitioner herein seeks a direction to the 3rd respondent to complete the enquiry and submit the report to the 1st respondent as per the



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direction issued by the 1st respondent in his proceedings dated 15.06.2023

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3.It is the case of the petitioner that she is in possession and enjoyment of the house bearing Door No.201 situated in Natham Survey No.5-167 in Kagam Panchayat, Modakurichi Union, Erode District. Though the petitioner is ready to pay the house tax to the Panchayat, on objection made by the petitioner's deceased husband's brother, the Panchayat office refused to receive the house tax. Since the Panchayat refused to receive the house tax, the petitioner is unable to get the benefits under Jaal Jeevan Yojana Scheme of the Government. Therefore, the petitioner submitted a representation dated 10.06.2023 to the 3rd respondent, requesting him to assess the house tax to the above mentioned building. The representation of the petitioner was received by the 3rd respondent on 16.06.2023 and 17.06.2023, till date no orders have been passed. It is also stated by the petitioner that the very same representation was submitted to the 1st respondent also and based on his representation, the 1st respondent in his proceedings dated 15.06.2023 in Na.Ka.No.40/2023/A5 directed the 3rd respondent to conduct detailed enquiry on the representation submitted by the petitioner and file a report to him. In spite of direction issued by the 1st respondent, the 3rd respondent has not conducted enquiry and



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submitted a report before the 1st respondent. Therefore, the petitioner has come up with this writ petition.

4.In view of the limited prayer made by the petitioner, this Court is inclined to issue a direction to the 3rd respondent to complete his enquiry on the representation of the petitioner dated 10.06.2023 and file a final report before the 1st respondent within a period of six weeks from the date of receipt of copy of this order. The copy of the report of the 3rd respondent shall be communicated to the petitioner.

5.With these directions, the writ petition stands disposed of. No costs.

05.09.2023

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



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To
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S.SOUNTHAR, J.
nti/nsi

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