IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 14/2/2023

C O R A M

THE HONOURABLE MR.JUSTICE **N. SATHISH KUMAR**

Writ Petition No.2988 of 2017

R. Deivasigamani ... Petitioner

Vs

The Commissioner
Cuddalore Municipality
Cuddalore 607 001. ... Respondent

PRAYER : Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the respondent to consider the representation dated 22/8/2016, given by the petitioner.

For Petitioner ... Mr.D.Baskar

For respondent ... Mrs.R.Anitha
Special Government Pleader

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O R D E R

This writ petition has been filed to direct the respondent to consider the representation of the petitioner, dated 22/8/2016.

2. It is the case of the writ petitioner that he has constructed a house in Thiruppadiripuliyur, Cuddalore and residing there from 1997. When the matter stood thus, the respondent had issued a notice of demolition. Hence the petitioner had filed O.S.No.87 of 2012 before the District Munsif Court, Cuddalore and the same was dismissed. Being aggrieved, A.S.No.6 of 2015 has been filed before the Sub-Court, Cuddalore and the same was allowed, on 15/7/2015, thereby decreed the Suit.

3. The main grievance of the petitioner is that the respondent has not assessed the property tax. Hence, the petitioner had submitted a representation, dated 22/8/2016 to the respondent. Since the same has not been considered so far, the petitioner has come forward with the instant writ petition praying for the relief as stated therein.

4. Heard Mr.D.Baskar, learned counsel for the petitioner and Mrs.R.Anitha learned Special Government Pleader for the respondent.

5. Perused the materials available on record.

6. While allowing the appeal, in A.S.No.6 of 2015, Appellate Court, had held that assessment of the tax by the respondent is subject to its governed rules and procedure.

7. In such a view of the matter, petitioner is directed to submit a fresh representation to the respondent, within a period of fifteen days, from the date of receipt of a copy of this order and on receipt of the same, respondent is directed to consider and dispose of the same on merits and in accordance with law, within a period of one month thereafter.

No costs. Consequently, the connected Miscellaneous Petition is closed.

14/2/2023

Index : Yes / No
Internet: Yes
Speaking/non speaking order

mvs.

N. SATHISH KUMAR, J

mvs.

To

The Commissioner
Cuddalore Municipality
Cuddalore 607 001.

W.P.No.2988 of 2017

14/2/2023