



W.P. (MD) No. 11461 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.01.2023

C O R A M

THE HONOURABLE MR.JUSTICE P.D.AUDIKESAVALU

W.P. (MD) No. 11461 of 2022

Suganthamani Jeevaraj

... Petitioner

Vs.

The Executive Officer,
Rayagiri Town Panchayat,
Tirunelveli District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the constitution of India, to issue a Writ of Mandamus directing the respondent to consider petitioner's representation dated 04.05.2022 and transfer the Property Tax Assessment No. 4020 for the subject property bearing Door No. 21, Mariamman Kovil Street, Rayagiri, Tirunelveli District comprised in Property Tax Assessment No. 4020 of Rayagiri Town Panchayat, standing in the name of his deceased father, Rathinasamy to the joint names of petitioner and his co-shares, namely, Abraham, Immanuel Jebaraj and Robert Moses Solomon Raj, Jebamani Arputhaselvi, Glory Victoria, Subbaraj, Manidass and Chandra Leela within a time frame that may be fixed by this Court.

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For Petitioner : Mr. T.R.Jeyapalam
For Respondent : Mr. D.Gandhiraj
Special Government Pleader

ORDER

Heard Mr. T.R.Jeyapalam, Learned Counsel for the Petitioner, and Mr. D.Gandhiraj, Learned Special Government Pleader appearing for the Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The Petitioner has filed the Writ Petition for directing the Respondent to transfer the Property Tax Assessment No. 4020 for the subject property bearing Door No. 21, Mariamman Kovil Street, Rayagiri, Tirunelveli District, comprised in Property Tax Assessment No. 4020 of Rayagiri Town Panchayat, standing in the name of his deceased father, Rathinasamy to the joint names of Petitioner and his co-sharers, by considering his representation dated 04.05.2022.



3. This Court during the earlier hearing on 02.01.2023 had called upon the respondent to file a report of the action taken on the representation dated 04.05.2022 made by the Petitioner and in furtherance thereto, a status report has been filed by the Respondent today.

4. It has been stated in para No. 5 of the status report as follows:

“It is submitted that the writ petition came up before this Hon'ble Court on 02.01.2023 and this Hon'ble Court directed the respondent to file a report of the action taken on the representation dated 04.02.2022 and adjourned the matter to 23.01.2023. On receipt of information about the interim order dated 02.01.2023 from the Learned Special Government Pleader, Hon'ble Madurai Bench of Madras High Court, and since no documentary proof was forthcoming, reminder was sent to the Petitioner in Roc. No. 10/2022 dated 02.01.2023 by Registered Post with Acknowledgement due. The petitioner herein has received the copy of the letter dated 04.01.2023, but has not produced the required certificates to take action further



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action on her representation. Moreover neither the Petition any legal representatives of the deceased herein nor any legal Rathnasamy are residing within the jurisdictional limits of Rayagiri Town Panchayat and hence deputing a person to collect the required certificates is not feasible and hence it is humbly submitted that as and when the required details are received from the Petitioner or from other legal representatives of the deceased M Rathinasamy, necessary action shall be taken to make appropriate changes in the Property Register of the Rayagiri Town Panchayat relating to Door No. 21, Mariamman Kovil Street, Rayagiri, Tenkasi District.”

In that backdrop, Learned Counsel for the Petitioner seeks permission of the Court to withdraw the Writ Petition reserving the right of the Petitioner, if he has any further grievance, to work out his remedies before the proper forum in the manner recognized by law. He has made an endorsement to that effect in the court record.



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In fine, the Writ Petition is dismissed as withdrawn with the aforesaid clarifications. No costs.

23.01.2023

Index : Yes/No
Internet : Yes/No
PKN

Note: Issue order copy by 27.01.2023

TO:

The Executive Officer,
Rayagiri Town Panchayat,
Tirunelveli District.



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P.D.AUDIKESAVALU,J.

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