



WP(MD)No.16947 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **06.10.2023**

CORAM

THE HONOURABLE **MR.JUSTICE N.ANAND VENKATESH**

W.P.(MD)No.16947 of 2020

Janab Zakir Hussain Bijili

...Petitioner

/Vs./

The Commissioner,
Tirunelveli City Municipal Corporation,
Tirunelveli City.

...Respondent

PRAYER:- Petition - filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to consider and dispose of the petitioner's representation sent in the form of legal notice dated 11/11/2020 in connection with the transfer of property tax assignee names in respect of Wakf properties indicated in the said representation, as expeditiously as possible within the time stipulation as prescribed by this Court.

For Petitioner : Mr.R.Niresh Kumar

For Respondent : Mr.Aayiram K.Selvakumar

Standing Counsel



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ORDER

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This writ petition has been filed for issuance of writ of mandamus directing the respondent to consider the representation made by the petitioner on 11.11.2020, wherein the petitioner as Muthavalli of Murthajahan Taika has requested the respondent not to assess the property tax for the properties belonging to the Waqf in anybody else name and to cancel the property tax assessment which has already been done in the name of the private parties.

2. Heard Mr.R.Niresh Kumar, learned counsel appearing for the petitioner and Mr.Aayiram K.Selvakumar, learned Standing Counsel for the respondent.

3. The petitioner was appointed as Muthavalli of Murthajahan Taika by the Waqf Board through the proceedings dated 09.11.2018 and the petitioner claims to be continuing in the same position till date. The grievance expressed by the petitioner is that the properties belonging to the Waqf are in possession of some private parties and they have managed to get the assessment of the property tax in their names. Hence, a representation was made by the petitioner in this regard. Since the same was not considered, the present writ petition has been filed before this Court.



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4. Taking into consideration the facts and circumstances of the case and the relief sought for in the writ petition, there shall be a direction to the respondent to consider the representation made by the petitioner on 11.11.2020 on its own merits and in accordance with law and conduct an enquiry after putting all the interested parties on notice and shall take a decision within a period of eight weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the respondent along with all the relevant documents and also with a copy of this order.

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

06.10.2023

NCC : Yes/No
Internet : Yes/No
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N.ANAND VENKATESH, J.

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Order made in
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