



W.P.(MD)No.17204 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :31.03.2023

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.(MD)No.17204 of 2016

and

W.M.P(MD).No.12486 of 2016

Dr.K.Muthukumar
Secretary
Annai Sri Aurobindo Educational Trust,
Admin Office,
Aurobindo Nagar,
TNPL Road,
Punnamchatram
Karua 639 136.

... Petitioner

Vs.

- 1.The State of Tamilnadu
Rep by it Secretary,
Rural Development and Panchayat Raj Department,
Secretariat,
Chennai-09.
- 2.The Commissioner,
Rural Development and Panchayat Raj Department,
Panagal Building, Chennai 600 015.
- 3.The District Collector,
Karur District,
Collectorate, Karur.



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4.The President,
Punnam Village Panchayat,
Karur Panchayat Union,
Karur.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondents 3 and 4 to revise the house tax at minimum rate without any surcharge for the petitioner institutions.

For Petitioner :No appearance

For Respondents :Mrs.D.Farjana Ghoushia
Special Government Pleader for R1 to R3

ORDER

At the hearing on 17.03.2023, it was recorded that there was no representation for the petitioner. Therefore, the matter was listed today under the caption for dismissal. Once again, there is no representation for the petitioner.

2. Learned Special Government Pleader submits, on instructions, that the writ petition is not maintainable because the petitioner seeks a positive direction for the revision of house tax.



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3. Upon examining the relief claimed by the petitioner, it is evident that the petitioner seeks a direction to the third and fourth respondents to revise the house tax without any surcharge. Respondents three and four are not under a statutory obligation to revise the house tax downward upon the request of the petitioner. Consequently, a mandamus cannot be issued for such purpose. Hence, W.P.(MD).No.17204 of 2016 is dismissed without any order as to costs. W.M.P.(MD).No.12486 of 2016 is also closed.

31.03.2023

NCC :Yes/No

Internet :Yes/No

Index :Yes/No

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- 2.The Commissioner,
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- 4.The President,
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SENTHILKUMAR RAMAMOORTHY, J.

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