



W.P.(MD).No.23676 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.09.2023

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THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).No.23676 of 2023

and

W.M.P.(MD)No.19847 of 2023

M.Ambalam

... Petitioner

Vs.

1.The Principal Secretary,
Tamilnadu Government,
St.George Fort, Chennai-600 009.

2.The District Collector,
Madurai District, Madurai.

3.The Commissioner,
Madurai Corporation, Madurai.

4.The Tahsildar,
Madurai North, Madurai-2.

5.The Executive Engineer,
Tamilnadu Housing Board,
Ellis Nagar, Madurai-625 016.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining the impugned notice dated 30.03.2023 issued by the 3rd



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respondent and to quash the same and consequently, to direct the respondents 1 to 5 to assess the property tax, professional tax, sewerage tax, water tax for houses property according to guidelines of the Government for the area classified as Poramboke land situated at 1st to 4th streets of N.S.K.Nagar, Bharathiyar Road, Jaihindpuram, Madurai, within time frame may be stipulated by this Court.

For Petitioner : Mr.P.Ranjith Kumar
For R-1, 2 and 4 : Mr.R.Suresh Kumar
Additional Government Pleader
For R-3 : Mr.K.K.Kannan
For R-5 : Mr.R.Siva Kumar

ORDER

This writ petition has been filed for Writ of Certiorarified Mandamus, to quash the impugned notice dated 30.03.2023 issued by the 3rd respondent and consequently, to direct the respondents 1 to 5 to assess the property tax, professional tax, sewerage tax, water tax for houses property according to guidelines of the Government for the area classified as Poramboke land situated at 1st to 4th streets of N.S.K.Nagar, Bharathiyar Road, Jaihindpuram, Madurai, within time frame may be stipulated by this Court.

2. The contention of the petitioner is that he is residing in the



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Government Poramboke land for the past 40 years. The respondents have not granted any revision notice to the petitioner when the tax was increased from Rs.1920/- to Rs.2088/- for the year 2017 to 2018-I. Likewise the revision from Rs.2088/- to Rs.4176/- for the year 2022-2023-I. But has issued the demand notice, dated 15.02.2023, wherein the property tax is imposed to the tune of Rs. 36,912/-. And has imposed UGD charges, UGD Deposit and Water supply charges.

3. Since the respondents have not granted any revision notice before fixing the revised property tax, this Court is inclined to interfere. The 3rd respondent is directed to furnish the calculation sheet for increasing the demand in the year 2022-2023. On receipt of such calculation sheet, the petitioner is directed to treat this demand notice and the calculation sheet as show cause notice and submit his objections. Thereafter the respondent shall consider and pass orders. In the meanwhile, the petitioner is directed to pay Rs.5,000/- for the total demand of property tax and for other charges. The said exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order.



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4. With the above said observation and directions, the writ petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

29.09.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
Tmg

To

1. The Principal Secretary,
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St. George Fort, Chennai-600 009.
2. The District Collector,
Madurai District, Madurai.
3. The Tahsildar,
Madurai North, Madurai-2.



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S.SRIMATHY, J.

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