



W.P.(MD).No.23504 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 27.09.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

**W.P.(MD).No.23504 of 2023
and
W.M.P.(MD).No.19706 of 2023**

K.Muthukumar

... Petitioner

Vs.

- 1.The Principal Secretary,
Tamil Nadu 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,
Tamil Nadu Housing Board,
Ellis Nagar,
Madurai – 625 016.

... Respondents



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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 to the impugned notice dated 23.01.2023 issued by the third respondent and quash the same and consequently 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 based on the representation dated 18.02.2023 within time frame may be stipulated by this Court.

For Petitioner	: Mr.P.Ranjith Kumar
For R-1, R-2 and R-4	: Mr.B.Saravanan, Additional Government Pleader.
For R-3	: Mr.S.Vinayak, Standing Counsel.
For R-5	: Mr.R.Siva Kumar, Standing Counsel.

ORDER

This Writ Petition is filed to quash the impugned notice dated 23.01.2023 and consequently direct the respondents 1 to 5 to assess the property tax, professional tax, sewerage tax, water tax for house property according to guidelines of the Government for the area classified as Poramboke land situated



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at 1st to 4th Streets of N.S.K.Nagar, Bharathiyar Road, Jaihindpuram, Madurai
based on the representation dated 18.02.2023.

2. The respondents have imposed the property tax to the Assessment No. 115/081/900841 to the tune of Rs.16,082/-. For this amount, the petitioner is directed to pay Rs.5,000/- (Rupees Five Thousand only). The petitioner is having another house and the Assessment number is 15/081/901315 for which the respondents have assessed Rs.91,784/-. For the said amount, the petitioner is directed to pay Rs.20,000/- (Rupees Twenty Thousand only). On such payment, the respondents are directed to consider the petitioner's claim, after surveying the house, re-work and re-calculate the property tax in accordance to law, after granting sufficient opportunity to the petitioner. The petitioner is directed to pay the said amount within a period of four (4) weeks from the date of receipt of the copy of the order. On such receipt, the respondents shall comply with the direction stated supra within a period of six (6) weeks therefrom.

3. The learned counsel appearing for the fifth respondent submitted that the property belongs to the House Board. The respondents are directed to take steps in accordance to law and also directed to follow due process of law.



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4. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

27.09.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
Nsr

To

- 1.The Principal Secretary,
Tamil Nadu Government,
St.George Fort,
Chennai – 600 009.
- 2.The District Collector,
Madurai District, Madurai.
- 3.The Commissioner,
Madurai Corporation, Madurai.
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S.SRIMATHY, J.

Nsr

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