



W.P.No.23587 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 19.08.2024

CORAM

THE HON'BLE Mr. JUSTICE KRISHNAN RAMASAMY

W.P.No.23587 of 2024

L.R.Marcony

... Petitioner

Vs.

1. The Principal Director,
Income Tax Department (Investigation)
Chennai- 600 034.
2. The Assistant Director,
Income Tax Department,
Salem.
3. Sri Balamurugan Thirukovil Trust,
Kattur, Ammani Kondalampatti
Salem -636010.
4. C.Balan
5. K.Jeyaraman
6. M.Raja (alias) Rajamuthu
7. J.Shankar
8. K.Subramani
9. K.V.Mani

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the Respondents 1 an 2 to dispose petitioners representation dated 05.06.2024 in the manner known to law thereby taking action against the Trustees of Sri Balamurugan



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Thirukovil Trust.

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For Petitioner : Mr.A.G.Narasimhan

For Respondents : Mr.A.N.R.Jayaprathap
Junior Standing Counsel

ORDER

This Writ Petition has been filed seeking a direction to the Respondents 1 and 2 to dispose of the petitioner's representation dated 05.06.2024 in the manner known to law and thereby take action against the Trustees of Sri Balamurugan Thirukovil Trust.

2. Mr.A.N.R.Jayaprathap, learned Junior Standing Counsel takes notice on behalf of the respondents.

3. By consent of the parties, the writ petition is taken up for disposal at the admission stage itself.

4. The Petitioner is the member of Sri Balamurugan Thirukovil Trust and the said Trust constructed a marriage hall on the Government poromboke land and let out the same to the general public for hosting marriage functions and other small functions. He further submitted that no



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proper accounts were maintained for the income derived from the Trust property, thereby they evaded income tax, property tax and other charges payable to the Government, which cause great loss to the Government. Hence, the Petitioner submitted a representation dated 05.06.2024 to the Respondents 1 and 2 seeking to take appropriate action against the Trustees. As the same did not evoke any response, the Petitioner has come forward with this Writ Petition seeking the aforesaid relief.

5. The learned Junior Standing Counsel appearing for the Respondents has submitted that the Respondents 1 and 2 may be directed to dispose of the representation of the Petitioner, if it is available with them, or else the Petitioner may be permitted to submit fresh representation to the concerned respondents and the same may be directed to be disposed of within the time fixed by this Court.

6. Heard both sides. Perused the records.

7. In view of the limited scope of relief sought by the Petitioner, without going into the merits of the case, this Court directs the Petitioner to enclose a copy of the representation dated 05.06.2024, along with the copy of this order and submit the same to the Respondent authorities, within a



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period of two weeks from the date of receipt of a copy of this order and on receipt of the same, the Respondent authorities are directed to dispose of the same, on merits and in accordance with law, after affording an opportunity of personal hearing to the Petitioner as well as to the parties concerned, within a period of four weeks thereafter.

8. Accordingly, the Writ Petition is disposed of. No costs.

19.08.2024

Speaking/Non-speaking order
Index : Yes / No
Neutral Citation : Yes / No
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KRISHNAN RAMASAMY.J.,

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