



W.P(MD)No.6557 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.09.2024

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P(MD)No.6557 of 2024

and

W.M.P(MD)No.6127 of 2024

S.Ayyappan

... Petitioner

Vs.

The Executive Officer,
Perumagalur Town Panchayat,
Peravoorani Taluk,
Thanjavur District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to measure the property of the petitioner physically and assess the property, based on the measurement in accordance with the statutory provisions, based on the petitioner's representation, dated 06.02.2024 within time frame and pass such further or other orders as this Court.

For Petitioner : Mr.M.Suresh

For Respondent : Mr.J.K.Jayaseelan
Government Advocate



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ORDER

The present Writ Petition is filed for a Mandamus seeking direction to the respondents to measure the property of the petitioner physically and assess the property based on the measurement in accordance with the statutory provisions, based on the petitioner's representation, dated 06.02.2024.

2. It was submitted by the learned counsel for the petitioner that the petitioner was an agricultural coolie. The petitioner had constructed a house in S.No.75/14A, after obtaining approval from the respondent by proceedings, dated 22.09.2011. On 13.11.2016, the respondent assessed property tax without making any physical verification or measurement to assess the quantum of the property tax. Hence, the petitioner approached the respondent to assess the property tax. The property tax assessed for the petitioner's house was not in accordance with the statutory provision. Thereafter, the petitioner approached the respondent on several occasions from 2016 onwards. Finally, the petitioner submitted a representation, dated 06.02.2024 to the respondents to measure the property of the petitioner physically and assess the property, based on the



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measurement in accordance with the statutory provisions. Since the said representation was not considered, the present Writ Petition is filed.

3. It was submitted by the learned Government Advocate for the respondent that the petitioner's representation would be considered and orders would be passed in accordance with law within a period of four weeks, which was accepted by the learned counsel for the petitioner.

4. In view of the same and taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition, there shall be a direction to the respondent herein to consider the petitioner's representation dated 06.02.2024, on its own merits and pass appropriate orders in accordance with law, after affording reasonable opportunity of hearing to the petitioner and other interested persons/stake holders, within a period of four (4) weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any views with regard to the merits of the representation and it is open to the respondent to consider the representation on its own merits and in accordance with law.



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5. With the above direction, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petition stands closed.

05.09.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR

To

The Executive Officer,
Perumagalur Town Panchayat,
Peravoorni Taluk,
Thanjavur District.



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MOHAMMED SHAFFIQ, J.

BTR

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