



WP(MD)No.15002 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 04.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.15002 of 2018

G.Sakthi Saravanan

.. Petitioner

v.

1.The Commissioner,
Madurai Corporation,
Madurai.

2.The Assistant Commissioner,
Madurai Corporation East Zone No.3,
Madurai.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondents to credit the amount of Rs.2,67,187/-, which was paid by the petitioner for the years from 2009-10 2nd half year to 2014-15 2nd half year in his name / assessment number and to issue No Due Certificate upto 2014-15 2nd half year.

For Petitioner : Mr.A.Sivaji

For Respondents : Mr.S.Vinayak,
Standing Counsel



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ORDER

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The petitioner is having properties in Ward No.16, Avaniyapuram, Madurai, within the limits of Madurai Corporation. He has already paid vacant land tax to the respondent Corporation for the period from 2009-10 II half year to 2014-15 II half year. However, for the very same period, the respondents are claiming property tax and therefore, the petitioner has filed this writ petition.

2.Learned Counsel for the petitioner submitted that the person, who has collected the tax amount, has misappropriated the same and therefore, the respondent Corporation is demanding this amount from the petitioner. He has also relied upon the receipts issued on behalf of the Corporation for the relevant period for payment of tax. He further claimed that the petitioner has already submitted the documents before the Corporation.

3.Learned Standing Counsel for the respondent Corporation submitted that on the allegations made by this petitioner, an enquiry has



already been contemplated. However, in view of this writ petition, the enquiry has not been proceeded further.

4. Heard the learned Counsel appearing on either side and perused the available materials.

5. The petitioner claims that he has already paid the vacant land tax for the period from 2009-10 II half year to 2014-15 II half year. He has also enclosed the receipts for the same along with the typed set of papers. It appears that the respondents have contemplated an enquiry, however, failed to proceed further in view of the pendency of this writ petition.

6. Therefore, this writ petition is closed with liberty to the respondent Corporation to proceed with the enquiry, in accordance with law, after providing due opportunity of hearing to the petitioner and other necessary parties. The petitioner shall furnish a copy of the documents relied by him to the respondents within a period of two weeks from the date of receipt of a copy of this order. Thereafter, the respondents shall take a decision and



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pass appropriate orders, within a further period of eight weeks therefrom.

There shall be no order as to costs.

Index : Yes / No

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NCC : Yes / No

Internet : Yes

gk

To

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B.PUGALENDHI, J.

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