



W.P(MD)No.16960 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 21.02.2024

CORAM:

**THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

W.P(MD)No.16960 of 2018

Ammaiyappan

... Petitioner

Vs

1.The District Collector,  
District Collectorate Office,  
Pudukottai.

2.The Municipal Commissioner,  
Municipality Office,  
Aranthangi,  
Pudukottai District.

3.The Manager,  
Municipality Office,  
Aranthangi,  
Pudukottai District.

4.Mariyaye

5.R.Subbiah

...Respondents

(R4 & R5 are impleaded vide Court order dated 12.09.2018 in WMP(MD) No. 17533 of 2018)

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to take appropriate action to cause mutation in the property tax demand register in the name of Arulmighu Selva



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Vinayagar Temple admeasuring 0.54 cents in Survey No.204/7 of L.N.Puram, Aranthangi, Pudukottai District within a stipulated time fixed by this Court.

|                |                                                      |
|----------------|------------------------------------------------------|
| For Petitioner | : Mr.N.Ga.Natraj                                     |
| For R1         | : Mr.R.Suresh Kumar<br>Additional Government Pleader |
| For R2 & R3    | : Mr.P.Mahendran                                     |
| For R4 & R5    | : Mr.B.Prahalad Ravi                                 |

### **ORDER**

The petitioner is a hereditary trustee of Arulmighu Selva Vinayakar Temple, L.N.Puram, Aranthangi, Pudukottai District. The petitioner has approached this Court, seeking mandamus to change the property tax for the land in S.No.204/7, L.N.Puram, Aranthangi, Pudukottai District in the name of the temple.

2.The learned counsel appearing for the petitioner submits that the land in S.No.204/7 of L.N.Puram, Aranthangi, Pudukottai District to an extent of 0.54 cents is the temple land. This land originally leased out to one Mariyayee in the year 2008. Now, they came to know that the said Mariyayee has transferred the property tax in the name of her husband one Subbiah and therefore,



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the petitioner has submitted a representation to the respondent Municipality to conduct an enquiry and to change the property tax in the name of the temple and the same was not considered. Therefore, the petitioner has filed this writ petition.

3.The learned counsel for the respondent municipality submits that they have already issued the enquiry notice and the enquiry is pending.

4.This Court considered the rival submissions made and also perused the materials placed on record.

5.The petitioner has filed this writ petition for a Mandamus, for change of property tax which stands in the name of one Subbiah in favour of the temple. The petitioner claims that the land in S.No.204/7 is the temple land. However, it has been wrongly changed in the name of one Subbiah, the husband of then lessee of the temple. The petitioner claims that he is having necessary documents to prove that the subject land belongs to the temple. This



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writ petition is filed without impleading the said Mariyaye and Subbiah as parties to this writ petition and thereafter, they have been impleaded. It is also reported that the respondent Municipality has contemplated an enquiry in the year 2018, however, they have not concluded the enquiry for the reasons best known to them.

6.In view of the above, this writ petition is disposed of with a direction to the respondent Municipality to complete the enquiry by providing an opportunity to the petitioner and the said Mariyaye and Subbiah as well and pass an order within a period of four weeks from the date of receipt of a copy of this order. No costs.

**21.02.2024**

NCC: Yes/No

Index: Yes/No

Internet: Yes

vrn



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**B.PUGALENDHI, J.**

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**Order made in**  
**W.P(MD)No.16960 of 2018**

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