



W.P.(MD).No.24282 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.10.2024

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THE HONOURABLE MR. JUSTICE MOHAMMED SHAFFIQ

W.P.(MD).No.24282 of 2024

and

W.M.P.(MD).Nos.20532 and 20533 of 2024

R.Narayanasamy @ Satish

... Petitioner

Vs.

The Tuticorin Municipal Corporation,
Represented by its Commissioner,
113, Palai Road,
Thoothukudi – 628 002.

...Respondent

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 12.08.2024 and quash the same as illegal and consequently directing the respondent to reassess the property tax for the petitioner's property in T.S.No.2/2B, Ward C, Block No.32 in Dr. No.106/100, Teachers Colony, Millerpuram, Tuticorin District by following the due process of law within the time period stipulated by this Court.

For Petitioner : Mr.M.Mahaboob Fazil

For Respondents : Mr.N.Anandkumar
Standing Counsel



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ORDER

The present Writ Petition is filed challenging the demand notice dated 12.08.2024 on the premise that the demand notice was not preceded by any show cause notice, thereby, violating the principles of natural justice.

2. The learned Standing Counsel for the respondent Corporation, on instructions, would submit that show cause notice has been issued subsequently and a reply has also been filed by the petitioner. It was further submitted that the reply would be considered and orders would be passed afresh in accordance with law after affording a reasonable opportunity of hearing to the petitioner, which was accepted by the learned counsel for the petitioner.

3. In view of the subsequent development, the impugned demand notice is liable to be set aside. Accordingly, the impugned demand notice dated 12.08.2024 is set aside. It is open to the petitioner to submit additional objections, if any and also request for personal hearing, within a period of two (2) weeks from the date of receipt of a copy of this order. If any such objections are filed, the same shall be considered by the respondent and orders shall be passed afresh in accordance with law after affording a reasonable opportunity of hearing to the petitioner.



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4. Accordingly, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

16.10.2024

Index : Yes / No
Internet : Yes/ No
Lm

To
The Commissioner,
The Tuticorin Municipal Corporation,
113, Palai Road,
Thoothukudi – 628 002.



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MOHAMMED SHAFFIQ, J.

Lm

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