



W.P.(MD)No.26958 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.11.2024

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD)No.26958 of 2024

Bhavani

...Petitioner

Vs

1.The President,
Town Panchayat,
W.Puthupatti Village,
Watrap Village,
Virudhunagar District.

2.The Executive Officer,
Town Panchayat,
W.Puthupatti Village,
Watrap Taluk,
Virudhunagar District.

3.Thirumalai

4.Vanaja

5.Veeralakshmi

6.Sankarasubramaniam

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Mandamus, directing the respondents 1 and 2 herein not to receive property tax or any other tax from the respondents 3 to 6 or any other persons in respect of the property situated in Survey No.693/1 (Patta No.710) at Puthupatti Village, Watrap Taluk, Virudhunagar District based on the petitioner's representation dated 19.10.2024.

For Petitioner : Mr.C.Ganesh Kumar

For R-1 and R-2 : Mr.P.T.Thiraviam
Government Advocate

ORDER

Heard Mr.C.Ganesh Kumar, learned counsel for the petitioner and Mr.P.T.Thiraviam, learned Government Advocate, for the respondents 1 and 2.

2. This Writ Petition has been filed praying for a Mandamus, directing the respondents 1 and 2 herein not to receive property tax or any other tax from the respondents 3 to 6 or any other persons in respect of the property situated in Survey No.693/1 (Patta No.710) at Puthupatti Village, Watrap Taluk, Virudhunagar District based on the petitioner's representation dated 19.10.2024.



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3. In view of the limited relief proposed to be granted by this Court, notice to the respondents 3 to 6 is dispensed with.

4. The learned counsel for the petitioner would submit that it is admitted case that originally prayer mentioned property belongs to the third respondent, who is the father of the petitioner herein.

5. The learned Government Advocate appearing for the respondents 1 and 2 would submit that the subject property of the third respondent had been proceeded with SARFAESI Act and one Shanmuga Priya had purchased the property and she had also made an application for grant of approval which is under consideration. He would further submit that without impleading the said purchaser, the present Writ Petition has been filed.

6. Be that as it may, even though I am not inclined to grant prayer made in the Writ Petition, however considering the fact that the petitioner had made representation on 19.10.2024 to the respondents 1



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and 2, the second respondent is directed to consider the representation made by the petitioner on 19.10.2024 and pass orders on merits and in accordance with law, after affording an opportunity of hearing to the petitioner, respondents 3 to 6 and interested parties, if any, within a period of four weeks from the date of receipt of a copy of this order.

7. With the above direction, this Writ Petition is disposed of. No costs.

13.11.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr

To:

1.The President,
Town Panchayat,
W.Puthupatti Village,
Watrap Village,
Virudhunagar District.

2.The Executive Officer,
Town Panchayat,
W.Puthupatti Village,
Watrap Taluk,
Virudhunagar District.

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K.KUMARESH BABU, J.

Nsr

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