



W.P.(MD) No.31236 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.01.2024

CORAM:

**THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

**W.P.(MD) No.31236 of 2023
and W.M.P.(MD) Nos.26765 to 26767 of 2023**

Radhakrishnan

... Petitioner

-VS-

1.The Thasildar,
Karaikudi Taluk,
Sivagangai District.

2.The Panchayat President,
Koviloor Village Panchayat,
Kallal Union,
Sivagangai District.

3.Seenivasan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the 2nd respondent in Kovi/Na.Ka.1/2023-24, dated 14.12.2023, and quash the same and consequently directing the 2nd Respondent to



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provide house tax receipt in respect of the petitioner's property in Old S.No. 120/3 in New. S.No.313/4 in Kovilur village, Karaikudi Taluk, Sivagangai District.

For Petitioner : Mr.N.Jeyaram Sidharth

For Respondents : Mr.S.P.Maharajan,
Special Government Pleader for R1

ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

The Writ Petition has been filed challenging the order passed by the 2nd respondent in Kovi/Na.Ka.1/2023-24, dated 14.12.2023 and consequently for a direction to the 2nd Respondent to provide house tax receipt in respect of the petitioner's property in Old S.No.120/3, New S.No.313/4, in Kovilur village, Karaikudi Taluk, Sivagangai District.

2. By consent of both sides, the Writ Petition itself is taken up for final disposal at the time of admission itself. Considering the nature of the order proposed to be passed in this Writ Petition, protecting the interests of the respondents 2 and 3 also, notice to the respondents 2 and 3 is dispensed with.



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3. According to the petitioner, the second respondent has not provided any opportunity to the petitioner for making his objections and therefore, the order passed by the second respondent is liable to be quashed on the ground of violations of principles of natural justice.

4. Learned Special Government Pleader appearing for the first respondent has stated before this Court that the materials disclosed that an opportunity was granted to the petitioner. Further, on instructions from the second respondent Panchayat, he would submit that the impugned notice may be treated as a Show Cause Notice to enable the petitioner to make his objections to the second respondent Panchayat.

5. In view of the submissions made by the learned Special Government Pleader, we are inclined to pass the following orders:-

- i. The impugned order passed by the second respondent shall be treated as a show cause notice.
- ii. The petitioner is permitted to make his objections within a period of two weeks from the date of receipt of a copy of this order.



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iii. On receipt of the objections raised by the petitioner, the second respondent is directed to consider the same in accordance with law and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above directions, the Writ Petition stands disposed of. No costs. Consequently, connected Writ Miscellaneous Petitions are closed.

[D.K.K., J.] [R.V., J.]
04.01.2024

Index : Yes / No
Internet : Yes / No
SJ

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and
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