



WEB COPY

WP.No.11338 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-08-2025

CORAM

THE HONOURABLE MRS.JUSTICE N. MALA

WP.No.11338 of 2025 and
WMP.Nos.12781 & 12782 of 2025

S.Kandasamy

Petitioner

Vs

1.The Block Development Officer,
Pallipalayam Panchayat Union,
Kumarapalayam Taluk,
Namakkal District.

2.The Special Officer,
Thattankuttai Village Panchayat,
Kumarapalayam Taluk,
Namakkal District.

3.The Assistant Engineer (O & M)
[Operation and Maintenance]
Kuppandapalayam, TANGEDCO,
Pallipalayam, Namakkal District.

4.Murugan

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India,
praying for the issuance of a direction in the nature of Writ of Mandamus,



forbearing the respondents 1 and 2 from cancelling petitioner house tax assessment No.13703 for house bearing door No.5/851/3, Nallampalayam, Kumarapalayam Taluk, Namakkal District based on the frivolous objection of the 4th respondent by considering petitioner representation dated 15.02.2025.

For Petitioner: Mr.R.Prabakar

For Respondents: Mr.S.J.Mohamed Sathik,
Government Advocate
for R1 & R2

Mr.L.Jaivenkatesh,
Standing Counsel for R3

ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus, forbearing the respondents 1 and 2 from cancelling petitioner house tax assessment No.13703 for house bearing door No.5/851/3, Nallampalayam, Kumarapalayam Taluk, Namakkal District, based on the objection of the fourth respondent by considering the petitioner's representation dated 15.02.2025.

2. The brief facts of the case are that the petitioner's mother acquired property through a settlement deed in the year 2010, and a house was sanctioned under the Green House Scheme in 2015. After the demise of the mother of the



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petitioner in the year 2021, the property was jointly owned by the petitioner's father, the petitioner and his siblings. The petitioner constructed a house using Government sanctioned funds and applied for a house tax assessment and electricity connection in the months of January and February 2025. While the petitioner's sister consented for the same, the petitioner's brother (4th respondent) objected and sought to cancel the house tax assessment. According to the petitioner, the objection is unfair, as the house was built legally, and cancellation would cause hardship. Hence, the petitioner seeks to prevent cancellation and ensure electricity installation and that the present Writ Petition has been filed.

3. Learned counsel appearing for the petitioner submits that he has legally constructed the house under the Green House Scheme, and the land belongs to his mother. The petitioner submits that the 4th respondent, who is residing in another house built on the joint property, is raising contentions unfairly. The house tax assessment and electricity connection were applied for with proper consent from his sister, and no valid reason exists for cancellation. If the house



tax assessment is cancelled, it will lead to serious civil consequences, as the petitioner resides in the house with two college-going children. He further submits that the second respondent should not cancel the house tax assessment based on the objections of the fourth respondent alone.

4. Learned Government Advocate appearing for respondents 1 and 2 would submit that the representation of the petitioner dated 15.02.2025 would be considered on merits, in accordance with law, within a time frame stipulated by this Court.

5. Heard both sides and perused the materials available on record.

6. Considering the limited relief sought for in this Writ Petition, without going into the merits of the case, this Court directs the 2nd respondent to consider the representation of the petitioner dated 15.02.2025 after conducting a detailed enquiry by giving due notice to the petitioner as well as the 4th respondent, affording an opportunity of personal hearing to the petitioner, to



take into consideration all the relevant documents submitted by the parties in regard to the subject matter property and pass appropriate orders on merits, in accordance with law, within a period of six (6) weeks from the date of receipt of a copy of this order.

7. In the result, the writ petition stands disposed of with the above observations and direction. No costs. Consequently, connected miscellaneous petitions are closed.

20-08-2025

Vum/cda

Index:Yes/No

Speaking/Non-speaking order

Neutral Citation : Yes / No



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N. MALA,J.

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