



W.P.(MD)No.9785 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.9785 of 2025

C.Murugan

... Petitioner

-VS-

1.The District Collector,
Tenkasi District, Tenkasi.

2.The Assistant Director of Panchayat,
O/o. the Assistant Director of Panchayat,
Tenkasi, Tenkasi District.

3.The Block Development Officer (Village Panchayat),
Kadayam, Tenkasi District.

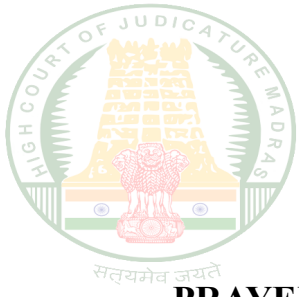
4.The Special Tahsildar,
Adi-Dravidar Welfare Department,
Cheranmahadevi, Tirunelveli District.

5.The Panchayat President,
Melaamboor Panchayat, Tenkasi District.

6.D.Bernath Mary

7.S.Daniel Raj

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to complete the Proceedings Na.Ka.No.COLRD/530/2022-A4-(1), dated 08.08.2023 and cancel the House tax receipt stands in the name of the sixth respondent and consequently, direct the respondents 1 to 5 to collect house tax receipt from the petitioner in respect of his house in Survey No.545/1A, situated at Melaambur Village, Kadayam Taluk, Tenkasi District, within the time framed by this Court.

For Petitioner	:	Mr.T.Thirumurugan
For R1 and R4	:	Mr.C.Venkatesh Kumar Special Government Pleader
For R2 and R3	:	Mr.T.Amjadkhan Government Advocate

ORDER

This Writ Petition has been filed seeking a direction to the second respondent to complete the Proceedings in Na.Ka.No.COLRD/530/2022-A4-(1), dated 08.08.2023 and cancel the House tax receipt stands in the name of the sixth respondent and a consequential direction to the respondents 1 to 5 to collect house tax receipt from the petitioner in respect of his house in Survey No.545/1A, situated at Melaambur Village, Kadayam Taluk, Tenkasi District.



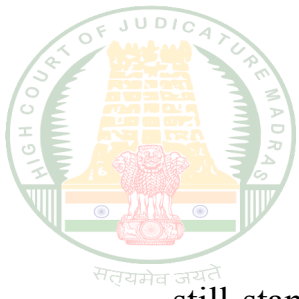
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2. By consent, this Writ Petition is taken up for final disposal, at the admission stage itself.

3. Since no adverse orders are going to be passed against the respondents 5 and 6, notice to the respondents 5 and 6 is hereby dispensed with.

4. The learned counsel for the petitioner submits that the petitioner was granted a free house site patta in Survey No.545/1A, Plot No.9, as per proceedings dated 05.08.1993 and a house was constructed under the Indira Memorial Residential Scheme, 2000-2001. The petitioner paid the necessary house tax to the fifth respondent and the property was in the petitioner's name, including the EB bill. Due to financial hardship, the petitioner migrated to Kerala and mortgaged the house to Samuvel, the father of the seventh respondent. After Samuvel's death, the seventh respondent fraudulently transferred the house tax receipt to the name of his wife, namely, the sixth respondent herein using forged documents, which is illegal and without the petitioner's consent. Under the RTI Act, the petitioner obtained information confirming that the house tax was fraudulently transferred to the sixth respondent, while the electricity connection

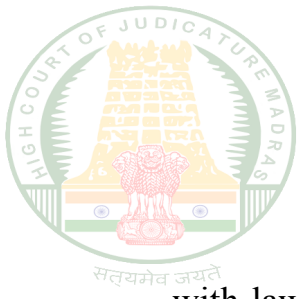


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still stands in the petitioner's name. Further, the Electricity Department clarified that ownership transfer cannot be done using unrecognized documents. The petitioner approached the second respondent in July 2023 to cancel the illegal house tax receipt issued in the name of the sixth respondent and restore it to the petitioner's name. Despite communication from the second respondent to the third respondent on 08.08.2023, no action has been taken so far. Hence, the present Writ Petition.

5. The learned Government Advocate appearing for the respondents 2 and 3 submits that if the petitioner submits a fresh representation to the third respondent, detailing all his grievances, the same will be considered in accordance with law, within a time frame to be fixed by this Court.

6. Recording the above submissions, this Writ Petition is disposed of, with a direction to the petitioner to submit a fresh representation outlining all his grievances to the third respondent, within a period of two weeks from the date of receipt of a copy of this order. Upon receipt of such representation, the third respondent shall consider it on merits and pass appropriate orders in accordance



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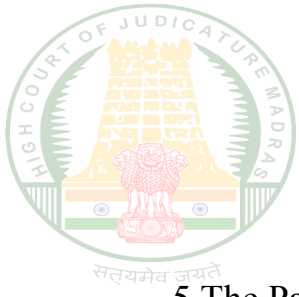
with law, after giving due opportunity to the petitioner, the respondents 6 and 7, as well as all other persons, who may be interested in the subject matter within four weeks thereafter. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the third respondent to consider the same on its own merits. There shall be no order as to costs.

NCC : Yes / No
Index : Yes / No
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08.04.2025

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5. The Panchayat President,
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VIVEK KUMAR SINGH, J.

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