

W.P.(MD)No.12277 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.12277 of 2024

R.Vijayakumari

: Petitioner

Vs.

1. The Block Development Officer,
(Village Panchayat), Thiruvaiyaru,
Thanjavur District.
2. The President,
Konerirajapuram Village Panchayat,
Thiruvaiyaru Taluk,
Thanjavur District.
3. The Panchayat Secretary,
Konerirajapuram Panchayat,
Thiruvaiyaru Taluk,
Thanjavur District.
4. The Vice President,
Konerirajapuram Village Panchayat,
Thiruvaiyaru Taluk,
Thanjavur District.
5. The Village Administrative Officer,
Village Administrative Office,
Konerirajapuram,



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Thiruvaiyaru Taluk,
Thanjavur District.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent to issue a Property Tax Receipt to the petitioner for the Thatched Shed constructed in New Survey No.141/1A1A1 situated at Konerirajapuram Village, Thiruvaiyaru Taluk, Thanjavur District based on application submitted by the petitioner dated on 13.01.2024, 23.05.2024, 29.05.2024 and 30.05.2024 as well as in the light of the proceedings of the 1st respondent dated 18.05.2024 and also direct the 5th respondent to issue a certificate based on the application submitted by the petitioner dated on 13.01.2023, 03.06.2024 and 04.06.2024 to obtain new electricity connection within the time limit.

For Petitioner : Mr.S.Bharathy Kannan

For Respondents : Mr.J.K.Jayaselan

Government Advocate

ORDER

This writ petition has been filed seeking a direction to the the second respondent to issue a property tax receipt to the petitioner for the thatched shed constructed in New Survey No.141/1A1A1, situated at Konerirajapuram Village, Thiruvaiyaru Taluk, Thanjavur District, based on the applications submitted by the petitioner on 13.01.2024, 23.05.2024, 29.05.2024 and 30.05.2024 as well as in the light of the proceedings of the first respondent dated 18.05.2024 and also to direct



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the fifth respondent to issue a certificate based on the applications submitted by the petitioner dated 13.01.2023, 03.06.2024 and 04.06.2024 to obtain new electricity connection within the specific time limit.

2. Pursuant to the proceedings issued by the first respondent on 18.05.2024, the petitioner submitted all the necessary documents to the third respondent regarding the property tax for her thatched shed. In response, the third respondent insisted the petitioner to produce an NOC from her vendor to issue the tax receipt. Accordingly, the petitioner obtained the NOC from her vendor on 29.05.2024 and resubmitted the application along with all the required documents. In this regard, she sent a representation on 30.05.2024, requesting the respondents 2 and 5 to issue the property tax receipt. However, since no action has been taken, the petitioner has now filed this writ petition.

3. The learned counsel for the petitioner would submit that, it would suffice, if this Court issues a direction to the third respondent to consider the representation of the petitioner and pass appropriate orders, within a time frame that may be stipulated by this court.



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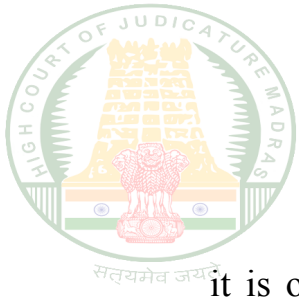


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4. Heard both sides.

5. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.

6. In the light of the above observations, there shall be a direction to the respondents 2 and 5 to consider the petitioner's representation dated 30.05.2024, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, as well as all other persons, who may be interested in the subject matter, within a period of eight weeks from the date of receipt of a copy of this order. 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



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it is open to the respondents 2 and 5 to consider the same on its own merits.

7. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs.

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Index : Yes / No

Internet : Yes / No

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VIVEK KUMAR SINGH, J.

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