



W.P(MD)No.16239 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.06.2025

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

Writ Petition(MD)No.16239 of 2025

A.Pappathi Begum

..Petitioner

Vs

1.The Commissioner,
Karaikudi City Municipal Corporation,
Karaikudi,
Sivagangai District.

2.C.Vijayaraj

3.Sethu

4.Gandhimathi

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the first respondent herein to consider the petitioner's representation dated 15.12.2024 and cancel the said property tax assessment issued in the name of the 2nd, 3rd and 4th respondents herein of the petitioner's property situated in T.S.No.600/1, Meenakshipuram Pudu Street, Karaikudi, Sivagangai District and thereon restore the same in the petitioner's name within the stipulated time.

For Petitioner : Mr.S.Bharathy Kannan

For Respondents : Mr.E.P.Venkateshwar
Standing Counsel for R1



W.P(MD)No.16239 of 2025

WEB COPY

ORDER

The petitioner seeks issuance of a Writ of Mandamus to direct the first respondent to consider her representation dated 15.12.2024 and cancel the said property tax assessment issued in the name of the respondents 2 to 4 for the petitioner's property situated in T.S.No. 600/1, Meenakshipuram Pudu Street, Karaikudi, Sivagangai District and restore the same in her name within the stipulated time.

2. Mr.E.P.Venkateshwar, learned standing counsel, takes notice for the first respondent.

3. It appears that the private respondents have put up constructions, which, according to the petitioner, are encroachments on her land measuring an extent of 1.99 Acres, on which the petitioner put up a commercial building by the name and style of “Raja Mahal,” measuring an extent of 5000 square feet, which is under construction.

4. The learned counsel for the petitioner confirms that no suit has been filed to evict the private respondents.



W.P(MD)No.16239 of 2025

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5. A reading of the above affidavit indicates that the alleged encroachments are in the form of construction. As long as there are buildings on the property, it is for the petitioner to take steps to evict the encroachers. However, pending such exercise, the corporation cannot be deprived of its revenue. Therefore, this writ petition is disposed of at the time of admission, after dispensing with the notice on the private respondents and after hearing the learned standing counsel for the first respondent, by permitting the petitioner to initiate appropriate proceedings to evict the alleged encroachers, namely, the respondents 2 to 4, and thereafter, take steps for cancelling the property tax assessment issued in favour of the respondents 2 to 4. It is also open to the petitioner to ensure that no patta has been issued on the encroached property in favour of the alleged encroachers, namely, the respondents 2 to 4.

6. With the above liberty, this writ petition stands dismissed.

No costs.

18.06.2025

NCC : Yes/No
Index : Yes/No
Internet:Yes
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W.P(MD)No.16239 of 2025

C.SARAVANAN, J.

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18.06.2025