



W.P(MD)No.8283 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 27.03.2026

CORAM

**THE HONOURABLE MR JUSTICE D.BHARATHA
CHAKRAVARTHY**

W.P(MD)No.8283 of 2026

and

W.M.P(MD).Nos.6787 and 6790 of 2026

M.S.Selvathaneshkumar

... Petitioner

Vs.

1. The District Registrar,
Tirunelveli,
Tirunelveli District.
2. The Sub Registrar,
Melapalayam,
Tirunelveli District.
3. The Commissioner,
Tirunelveli Corporation,
Tirunelveli - 627 001,
Tirunelveli District.
4. The Assistant Commissioner,
Melapalayam Zone,
Tirunelveli Corporation,
Tirunelveli 627 001.

...Respondents



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Prayer: Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorarified Mandamus calling for the entire records relating to the impugned notice of the 4 respondent in Aa2/2572/2025 dated 03.12.2025 and quash the same, and consequently direct the 3 and 4 respondents to restore the Vacant Land Tax Assessment No.146/041/903110 standing in the name of the Petitioner in respect of the property situated at T.S.No.260/1A1 (Old S.No.614/P), Block-19, T.S. Ward BP, Kulavanigarpuram Village, Melapalayam, Palayamkottai Taluk, Tirunelveli District, and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case.

For Petitioner	:Mr.S.Srikanth
For R1 and R2	:Mr.M.Gangatharan Government Advocate
For R3 and R4	: Mr.A.Sivanu Pandian

ORDER

The present writ petition has been filed for the following relief:-

“Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorarified Mandamus calling for the entire records relating to the impugned notice of the 4 respondent in Aa2/2572/2025 dated 03.12.2025 and quash the same, and consequently direct the 3 and 4 respondents to restore the Vacant Land Tax Assessment No.146/041/903110 standing in the name of the Petitioner in respect of the property situated at T.S.No.260/1A1 (Old S.No. 614/P), Block-19, T.S. Ward BP, Kulavanigarpuram Village, Melapalayam, Palayamkottai Taluk, Tirunelveli District, and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case.”



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2. Heard Mr.S.Srikanth, learned counsel appearing for the petitioner and Mr.M.Gangatharan, learned Government Advocate, who takes notice on behalf of the respondents 1 and 2 and Mr.A.Sivanu Pandian, learned counsel who takes notice on behalf of the respondents 3 and 4.

3. Upon hearing the learned counsel for the petitioner and perusing the material records of the case, the grievance of the petitioner is that by the impugned order dated 03.12.2025, the vacant land tax assessment granted in favour of the petitioner has been cancelled. It is seen that there are certain proceedings by which the land has been classified as a park and public purpose land. Therefore, on the ground that the assessment was made erroneously, the same has been cancelled.

4. The learned counsel for the petitioner would submit that no opportunity whatsoever has been granted to the petitioner.

5. In this regard, the learned Government Advocate appearing on behalf of respondents 1 and 2 would submit that the exercise has rightly been carried out, since the land in question is a public park.



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6. I have considered the rival submissions made on either side and perused the material records of the case.

7. The learned counsel appearing on behalf of respondents 3 and 4 is not in a position to refute the contention that no Show Cause Notice was issued. Even a perusal of the impugned order dated 03.12.2025 does not refer to any Show Cause Notice. Therefore, when the impugned order visits the petitioner with civil consequences, an opportunity ought to have been given.

8. In view thereof, the writ petition is allowed on the following terms:-

- i. The impugned order dated 03.12.2025 shall be treated as a Show Cause Notice.
- ii. The petitioner is directed to submit his explanation and produce all the relevant documents in support of his claim before the respondents, within a period of three weeks from the date of receipt of the web copy of the order.



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- iii. As and when the same is filed, the respondents are directed to consider the same and pass orders afresh, within a period of four weeks therefrom.
- iv. It is needless to state that notice shall be issued to the respective parties, before passing orders.
- v. No costs. Consequently, connected miscellaneous petitions are closed.

27.03.2026

NCC:Yes/No
rgm



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D.BHARATHA CHAKRAVARTHY, J.

rgm

To

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Tirunelveli District.
2. The Sub Registrar,
Melapalayam,
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3. The Commissioner,
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