



WP(MD) No.31363 of 2023

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)**

Thursday, the Twenty Eighth day of December Two Thousand and Twenty Three

PRESENT

The Hon`ble Mrs.Justice L. VICTORIA GOWRI

**WP(MD) No.31363 of 2023
and
WMP(MD)No. 26922 of 2023**

PALANISAMY. K

... PETITIONER

Vs

**1 THE TOWN PLANNING OFFICER
KARUR MUNICIPAL CORPORATION,
KARUR,
KARUR DISTRICT**

**2 THE COMMISSIONER
KARUR MUNICIPAL CORPORATION,
AZAD ROAD,
KARUR,
KARUR DISTRICT**

**3 THE CHAIRMAN
APPELLATE AUTHORITY FOR TAX,
KARUR MUNICIPAL CORPORATION,
AZAD ROAD,KARUR**

... RESPONDENTS

**Writ Petition filed under Article 226 of the Constitution of India, praying this
Court to issue a Writ of Mandamus , forbearing the respondents from interfering**
<https://www.mhc.tn.gov.in/judis>



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with the petitioners peaceful possession and enjoyment of their property situated at No.7A(O), 7(N) Ramakrishnapuram West, Karur Town and District, either by disconnecting the drainage connection or water connection or otherwise relating to the petitioners aforementioned property.

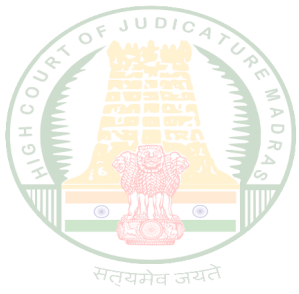
Prayer in WMP(MD). 26922/ 2023 :

To grant an order of interim injunction restraining the respondents herein, their agents, servants or any one claiming under them from in any manner, disconnecting the drainage connection, water connection or otherwise relating to the petitioner property situated at No.7A(O), 7(N) Ramakrishnapuram West, Karur Town and District, pending disposal of the above writ petition.

ORDER : This Writ Petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.V.R.SHANMUGANATHAN, Advocate for the petitioner, the court made the following order:-

This Court, in W.P.(MD)Nos.19905 & 20910 of 2013 dated 16.08.2022 has given specific directions directing the respondents to the Chairman, Appellate Authority for Tax, Karur Municipality, Azad Road, Karur, to pass orders on the matter of pending property tax, pertaining to the petitioner, after giving due opportunity to the writ petitioner on merits and in accordance with law. However, without putting the writ petitioner on notice, the impugned order dated 18.11.2023 came to be passed.

2. In the meanwhile, in view of the impugned order passed by the third respondent, the respondents authorities have taken efforts to disconnect the drainage connection and water connection with respect to petitioner's property situated at 7A



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(O), 7(N), Ramakrishnapuram West, Karur Town. Such an exercise is per-se illegal, since the petitioner was not put on notice before passing of the impugned order.

3. In view of the same, there will be an order of interim injunction restraining the respondents from disconnecting the drainage connection, water connection with respect to the petitioner's property situated at 7A(O), 7(N), Ramakrishnapuram West, Karur Town and District, pending disposal of this writ petition.

4. Notice to the respondents, returnable by 12.01.2024.

sd/-
28/12/2023

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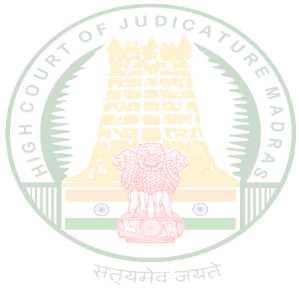
/01/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

VSM/SM
TO

1 THE TOWN PLANNING OFFICER
KARUR MUNICIPAL CORPORATION,
KARUR,
KARUR DISTRICT

2 THE COMMISSIONER
KARUR MUNICIPAL CORPORATION,
AZAD ROAD,
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3 THE CHAIRMAN
APPELLATE AUTHORITY FOR TAX,
KARUR MUNICIPAL CORPORATION,
AZAD ROAD,KARUR

+1 CC to M/s.VR.SHANMUGANATHAN, Advocate (SR-18421[I] dated 29/12/2023
)

ORDER
IN
WP(MD) No.31363 of 2023
and
WMP(MD)No. 26922 of 2023
Date :28/12/2023

PKP/VR/SAR- /05.01.2024/ 4P/ 5C

Madurai Bench of Madras High Court is issuing certified
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