

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

Lok Adalat-I organised by the High Court Legal Services Committee

Tuesday, the 27th day of January, 2015

LOK ADALAT AWARD

(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)
Presided over by

The Hon'ble Mr.JUSTICE P.THANGAVEL (Retd.)
and

Members

Mr.P.Rosaiah
Ms.D.Prasanna

W.P.No.5483 of 2011

(This Writ Petition has been filed for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the Special Notice of Property Tax in No.10110, dated 25.01.2001 at door No.15, Rottikara Street, Tindivanam on the file of the respondent herein and quash the same consequently directing the respondents to issue roper notice assessment in accordance with law.)

R.Devadoss

... Petitioner

Vs.

The Commissioner,
Tindivanam Municipality
Tindivanam, Villupuram District.

... Respondent

This case came up for settlement before the Lok Adalat. Both the parties are present. Mr.M.Murali for M/s.V.Illanchezian, the learned counsel for the petitioner and Mr.V.Vinoth Kumar, the learned standing counsel for the respondent Municipality are present.

TERMS OF SETTLEMENT

The petition in W.P.No.5483 of 2011 pending on the file of the High Court Madras has been referred to Lok Adalat for conciliation today.

2. The petitioner assisted by counsel and the respondent, the Commissioner, Tindivanam Municipality assisted by Standing Counsel, who has filed Vakalat for the respondent Municipality today before the Lok Adalat, are present before the Lok Adalat today for conciliation.

3. The Writ Petitioner has filed this writ petition to issue of Writ of Certiorarified Mandamus, calling for the records relating to the Special Notice of Property Tax in No.10110, dated 25.01.2001 at door No.15, Rottikara Street, Tindivanam on the file of the respondent herein and quash the same consequently directing the respondents to issue proper notice of assessment in accordance with law.

4. The parties to this proceeding, after great deliberation and discussions, settled the dispute between the petitioner and the respondent, wherein, the writ petitioner has agreed to pay a sum of Rs.1,94,843/- towards full quit of the proeprty tax due to the respondent Tindivanam Municipality and the said amount shall be paid in three equal installments commencing from 05.02.2015 with an interval of 15 days for each installments and joint endorsement has been made on the writ petition by both the parties, counter signed by the learned counsel appearing for both sides. The parties to the proceedings agreed to that terms of compromise, while it was read over and explained to the parties. The Lok Adalat recorded the joint endorsement.

5. In view of the compromise arrived at between both the parties, the Lok Adalat hereby declare and decree that the writ petitioner shall pay a sum of Rs.1,94,843/- to the respondent Municipality towards full quit of the property tax due from the writ petitioner to the respondent Municipality and that, the above said compromise amount shall be paid by the writ petitioner to the respondent Municipality in three equal installments commencing from 05.02.2015 with an interval of 15 days for each installment. It is also directed that in default of payment of any installment, the respondent municipality is at liberty to initiate action to recover the amount due from the writ petitioner as contemplated under Law. It is also directed that if the writ petitioner has paid a sum of Rs.8004/- under Challen No.623 on 27.01.2009 to the respondent Municipality and if the respondent Municipality has received the above said amount from the writ petitioner, the respondent Municipality shall adjust the sum of Rs.8,004/- from and out of Rs.1,94,843/- mentioned above. The joint endorsement made on the writ petition will form part of the award. No order as to cost. Award is passed accordingly.

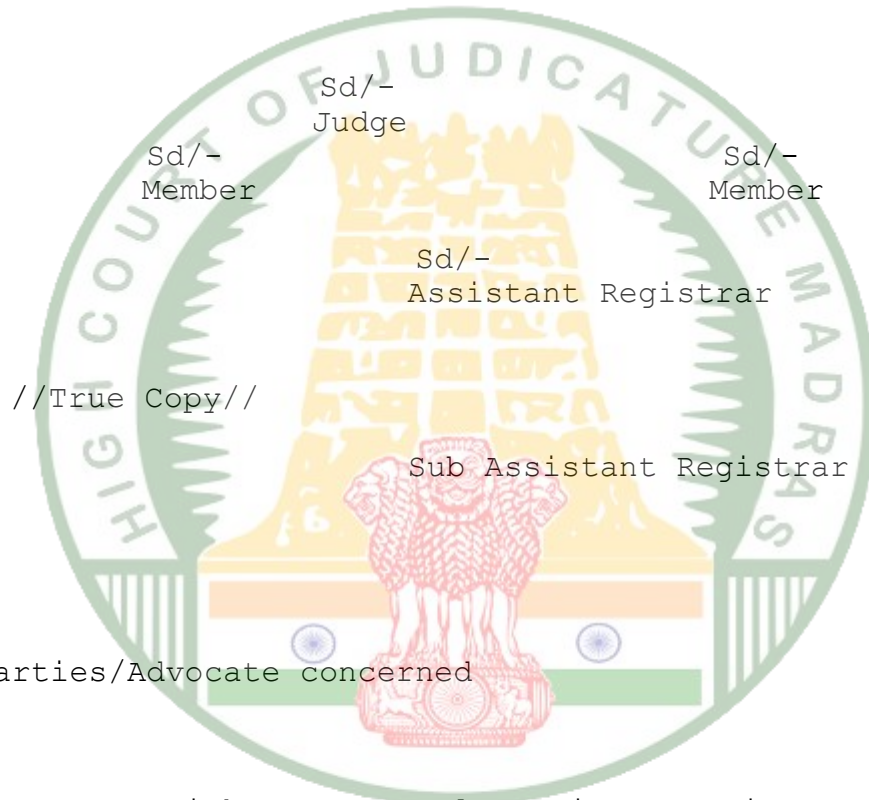
6. The full Court fee shall be refunded to the plaintiff and the defendants 1 to 4 in the manner provided under Section 69-A of the Tamil Nadu Court-Fees and Suits Valuation Act, 1955 and the Court Fees Act, 1870 as provided for under sub Sec.1 of Section 21 r/w 25 of LSA Act 1987 as amended in 1994 and there shall be no demand for additional Court fee.

Sd/-
R.Devadoss

Sd/-
Counsel for the Petitioner

Sd/-
The Commissioner,
Tindivanam Municipality
Tindivanam, Villupuram District.

Sd/-
Counsel for the Respondent



To: The parties/Advocate concerned

Copy to:

1. The Secretary, High Court Legal Services Committee, Chennai.
 2. The Section Officer, V.R. Section, High Court, Madras.
 3. The Section Officer, Lok Adalat Section, High Court, Madras.
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W.P.No.5483 of 2011
27.01.2015

CA (CO)
CA (18/03/2015)