



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.09.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P(MD).No.16651 of 2016

L.Pangajam ... Petitioner
Vs.

1.The Commissioner,
Tiruchirappalli City Corporation,
Trichy-1.

2.The Assistant Commissioner,
Srirangam Zone,
Tiruchirappalli City Corporation,
Srirangam, Trichy-6.

3.S.Karthick ... Respondents

Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the respondents 1 & 2 to cancel the 3rd respondent's name in the property tax and water tax bearing Door No.54A, Agraharam Street, Kundayampatti, Srirangam, Trichy, based on the petitioner's representation, dated 18.08.2016 and to restore the petitioner's mother's name in the property tax and water tax bearing Door No.54A, Agraharam Street, Kundayampatti, Srirangam, Trichy.

For petitioner : Mr.C.Vakeeswaran
For R.1&2 : Mr.N.S.Karthikeyan
Additional Government Pleader

ORDER

The petitioner herein seeks for the issuance of a Writ of Mandamus, directing the official respondents to cancel the third respondent's name in the property tax, which is referred to in the Writ Petition and to restore the petitioner's mother's name for the said property.

2. The prayer made in this Writ Petition is totally impermissible in law for two reasons. Firstly, in paragraph No.3 of the affidavit filed in support of this Writ Petition, the petitioner has categorically stated that a suit and a counter suit have been pending between the petitioner and the third respondent before the competent Civil Court in respect of the property in question. While so, nothing prevented the petitioner from moving an



appropriate application before the competent Civil Court to get an appropriate relief. Secondly, no parallel proceedings can be allowed to take place. In view of the admitted facts, I am not inclined to entertain this Writ Petition. This Writ Petition is liable to be dismissed.

WEB COPY

3. Accordingly, this Writ Petition stands dismissed. However, it is open to the petitioner to move an appropriate application before the competent Civil Court for an appropriate relief, if she so advised. No costs.

Sd/-

Assistant Registrar(Records)

/True copy/

Sub Assistant Registrar

To

1.The Commissioner,
Tiruchirappalli City Corporation,
Trichy-1.

2.The Assistant Commissioner,
Srirangam Zone,
Tiruchirappalli City Corporation,
Srirangam, Trichy-6.

+1cc to Mr.C.Vakeeswaran, Advocate SR.No.49842

Ssm

sm:PV:20/09/2016:2P/4C

W.P(MD) .No.16651 of 2016
02.09.2016