



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P. (MD)No.6905 of 2020

Shanthi

... Petitioner

Vs

1.The District Collector,
Virudhunagar,
Virudhunagar District.

2.The Block Development Officer,
Rajapalayam,
Virudhunagar District.

3.The Panchayat President,
Samsigapuram Panchayat,
Rajapalayam Taluk,
Virudhunagar District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the second and third respondents to issue house tax receipt in the name of the petitioner for the house property measuring to an extent of 400 sq. ft. situated at Survey No.752/30, Samsigapuram Village, Rajapalayam Taluk, Virudhunagar District by considering the petitioner's representation dated 11.06.2020.

For Petitioner : Mr.R.Niresh Kumar

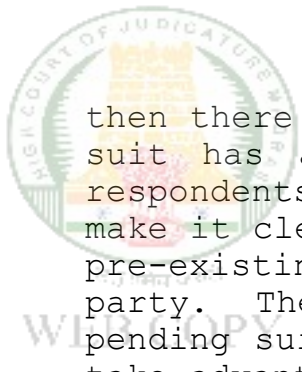
For Respondents : Mr.M.Rajarajan
Government Advocate

O R D E R

Heard the learned counsel on either side.

2.All that the petitioner wants is that the respondents 2 and 3 should issue house tax receipt in the petitioner's name in respect of the petition mentioned house.

3.When the matter came up for admission, this Court directed the learned Government Advocate to physically ascertain through the authority as to whether the petitioner is actually residing in the petition mentioned address. Today i.e,13.07.2020 when the matter was taken up for disposal, the learned Government Advocate submitted that the petitioner is very residing in the address in question but



then there are disputes involving the same. It appears that a civil suit has also been filed. Therefore, even while directing the respondents 2 and 3 to issue house tax receipts to the petitioner, I make it clear that this will not in any way enlarge the petitioner's pre-existing right and it will not prejudice the right of the third party. The rights of the parties will abide only by outcome of the pending suit proceedings and the petitioner will not be entitled to take advantage of this order in the pending suit proceedings.

4. With this direction, the writ petition is allowed. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

1. The District Collector,
Virudhunagar,
Virudhunagar District.
2. The Block Development Officer,
Rajapalayam,
Virudhunagar District.

W. P. (MD) No. 6905 of 2020

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AP(17/07/2020) 2P 3C