



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P. (MD) No.19421 of 2021

and

WMP(MD) No.16147 of 2021

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V.D. Narayanan

... Petitioner

vs.

1.The Commissioner
Rajapalayam Municipality
Rajapalayam, Virudhunagar District

2.The Town Surveyor
Rajapalayam Town
Rajapalayam
Virudhunagar District

3. M.K. Velayutharaja ... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari to call for the records of the 1st respondent impugned notice in Na.Ka. No.3323/2021/A2 dated 20.09.2021 and quash the same as illegal.

For Petitioner : Mr.D.Ramesh Kumar
For R1 and R2 : Mr.N. Dilip Kumar

O R D E R

Civil Suit in O.S. NO.118 of 2021 is pending between the petitioner and the third respondent before the District Munsif Court, Rajapalayam. The petitioner has filed the suit seeking declaration and permanent injunction. The third respondent has given representation to the first respondent/Commissioner, Rajapalayam Municipality and an order has been passed by the first respondent with respect to the taxes payable for the property in question. This has given rise to the petitioner to file the present writ petition, questioning the order of the first respondent.

2. Since the suit is pending between the parties the parties are relegated back to the Civil Court to raise all their grievances in the property in the civil litigation before the District Munsif Court, Rajapalayam. The petitioner may be granted necessary opportunity to file necessary application complaining the act of the defendant. The District Munsif Rajapalayam shall bestow his/her attention if any application is filed.



3. With the above direction, this writ petition stands disposed of. No costs. Consequently connected miscellaneous petition is also closed.

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// True Copy //

Sd/-

Assistant Registrar (CS-I)

/ /2021

Sub Assistant Registrar(CS)

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To

1.The District Munsif,
Rajapalayam, Virudhunagar District.

2.The Commissioner
Rajapalayam Municipality
Rajapalayam,
Virudhunagar District

3.The Town Surveyor
Rajapalayam Town
Rajapalayam
Virudhunagar District.

+1 CC to M/s.N.DILIPKUMAR, Advocate (SR-33706[F] dated 08/11/2021)

W.P. (MD) No.19421 of 2021

08.11.2021

DJ(CO)

GC/JGB(18.11.2021) 2P 5C