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W.P. No. 31807 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.11.2022

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THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 31807 of 2022

and

W.M.P. Nos. 31264 and 31265 of 2022

S.Lakshmi Redha

... Petitioner

-VS-

1. The Commissioner,
Tiruthanai Municipality,
Tiruthanai.

2. V.C.Ravikumar

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorarified Mandamus, calling for records in respect of the impugned orders passed by the First Respondent in Ref. No. Na. Ka. No. 1818/2019/A1 dated 27.01.2020 and quash the same as illegal and consequently direct the First Respondent to continue the assessment in Petitioner's name till the declaration of title by the competent Court in respect of the first floor of the property.

For Petitioner : Mr. R.Vijayaraghaven

For Respondents : Mr. P.Srinivas (for R1)



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ORDER

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Heard Mr. R.Vijayaraghaven, Learned Counsel for the Petitioner and Mr. P.Srinivas, Learned Counsel, who takes notice for the First Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. It is evident from the materials placed on record that the Petitioner has already filed a suit in O.S. No. 79 of 2016 before the Sub-Court, Tiruttani for declaration of title to the property in the first floor of an extent of 950 sq. ft. at Door No.7/15A, Krishnama Chetty @ Krishnan Street, Tiruthani Taluk, Tiruthani against the Second Respondent and as such, she would have to await its outcome for change of name in her favour for assessment of property tax in respect of that property. In view of the same, Learned Counsel for the Petitioner seeks permission of the Court to withdraw the Writ Petition reserving the rights of the Petitioner to work out her remedies depending upon the outcome of that suit and has made an endorsement to that effect in the court record. The Sub-Court, Tiruttani shall ensure that there is atleast one effective hearing every week showing progress of the case in O.S. No. 79 of 2016 and send monthly reports to the Registrar (Judicial) of the Court in that regard till it is finally disposed.



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In fine, the Writ Petition is dismissed as withdrawn with the aforesaid observations. Consequently, the connected Miscellaneous Petitions are closed.
No costs.

29.11.2022

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Index: Yes/No

Note: Issue order copy by 21.12.2022.

To

The Commissioner,
Tiruthanai Municipality,
Tiruthanai.

Copy to

1. The Registrar (Judicial),
High Court of Madras,
Chennai – 600 104.
2. The Presiding Officer,
Sub-Court,
Tiruttani.



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P.D. AUDIKESAVALU, J.

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