



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.04.2022**

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P. (MD) No.2028 of 2022

Thiripurasundari

... Petitioner

/vs./

1.The Commissioner,
Tenkasi Municipality,
Tenkasi District.

2.Marimuthu
3.Mariammal
4.Mariappan

... Respondents

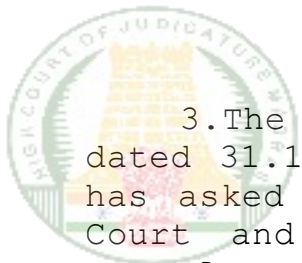
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order in Na.Ka.No.987/2020/Aa1 dated 31.12.2020 passed by the 1st respondent and quash the same and consequently direct the 1st respondent to transfer the property tax in the name of the petitioner for the property bearing Door number 220/32C, Mathangkoil 1st street, Chidhambareswarar Koil street, Melapuliyur Village, Tenkasi Municipality, Tenkasi District.

For Petitioner : Mr.R.J.Karthick
For R1 : Mr.P.Athimoola Pandian
For R2 to R4 : No appearance

ORDER

The petitioner has filed this writ petition for a Certiorarified Mandamus to call for the records pertaining to the impugned order in Na.Ka.No.987/2020/Aa1 dated 31.12.2020 passed by the 1st respondent and to quash the same and consequently to direct the 1st respondent to transfer the property tax in the name of the petitioner for the property bearing Door.No.220/32C situated at Mathangkoil 1st street, Chidhambareswarar Koil street, Melapuliyur Village, Tenkasi Municipality, Tenkasi District.

2.The learned counsel for the petitioner submits that the petitioner has become the owner of the property by virtue of the settlement deed dated 28.05.2020 executed by her husband, who is the son of late.Thirumalai Naidu. It is further submitted that the aforesaid property was earlier gifted to the petitioner's husband by the petitioner's father-in-law by a gift deed dated 02.12.1981.



3.The petitioner has challenged the impugned communication dated 31.12.2020 of the 1st respondent, whereby the 1st respondent has asked the petitioner to workout her remedy before the civil Court and thereafter to approach the 1st respondent for name transfer. Today when the case was taken up for hearing, the learned counsel for the petitioner submits that the petitioner has entered into a compromise with the private respondents herein, namely the respondents 2 to 4.

4.Considering the same, I am inclined to quash the impugned order of the 1st respondent dated 31.12.2020 remitting the case back to the 1st respondent to pass appropriate orders on the representation of the petitioner dated 03.12.2021 within a period of 30 days from the date of such compromise agreement, which may be filed before the 1st respondent.

5.These writ petition stand disposed of, in terms of the above observation. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

Mm

To :

The Commissioner,
Tenkasi Municipality,
Tenkasi District.

+1 CC to M/s.R.J.KARTHICK, Advocate (SR-16245[F] dated 04/04/2022)

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USK/21.04.2022/2P/3C