



W.P.(MD).No.18904 of 2013

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 27.07.2022

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD).No.18904 of 2013 and
M.P.(MD)No.1 of 2013

P.Selvam

... Petitioner

Vs.

1.The Executive Officer,
Vadipatti Town Panchayat,
Vadipatti Taluk,
Madurai District.

2.M.Sonai

3.M.Thiyagarajan

... Respondents

*(R2 and R3 are impleaded, vide Court
order, dated 19.07.2022, in W.M.P.
(MD)No.2 of 2013, in W.P.(MD)No.
18904 of 2013)*

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the respondent in Na.Ka.No.60/2013, dated 31.10.2013, and to quash the same as illegal and consequently, to direct the respondent to transfer the



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property tax assessment in the petitioner's name.

For Petitioner : Mr.R.Saravanakumar
For R1 : Mr.T.S.Mohamed Mohideen
For R2 and R3 : Mr.J.Mathesh

ORDER

The present writ petition has been filed challenging a memo issued by the first respondent under which the request of the petitioner for transfer of property tax assessment in his name from the name of second and third respondents was rejected.

2.It is brought to the notice of the Court that the second and third respondents as plaintiffs have filed O.S.No.253 of 2014 on the file of the Third Additional Sub Court, Madurai, for the relief of declaration of title and recovery of possession for the same property which is the subject matter of this writ petition. According to the learned Counsels on the either side, it is posted for trial tomorrow, ie., on 28.07.2022.

3.In view of the above said facts, the first respondent herein will not be in a position to decide, in whose name the property tax assessment



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should stand.

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4.Both the petitioner as well as the private respondents are directed to approach the first respondent depending upon the result in the above said civil suit.

5.With the above said observation, the writ petition stands closed.
No costs. Consequently, connected miscellaneous petition is closed.

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Index : Yes / No
Internet : Yes / No

Tmg



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R.VIJAYAKUMAR,J.

Tmg

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.

Order made in
W.P.(MD).No.18904 of 2013

27.07.2022